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Agrahayana 18, 1882 (Saka)

LOK SABHA DEBATES

Twelfth Session

LOK SABHA SECRETARIAT
New Delhi

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N.B.—The sign + above a name of a member on question which are orally answered, indicates that the question was actually asked on the floor of the House by that member.

GMGIPND—LS III—1545 (Ai) LS—19-12-60—901.

LOK SABHA

Friday, December 9, 1960/Agrahayana 18, 1882 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Beggars on Railways

+

*805. **Shri Subodh Hansda:**
Shri D. C. Sharma:
Shri R. C. Majhi:
Shri S. C. Samanta:
Shri Tangamani:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that special squads of travelling ticket examiners and 'rakshaks' of the Railway Protection Force have been set up on each zonal Railway for the purpose of dealing with beggars and unlicensed hawkers and vendors;

(b) if so, how far they have been successful; and

(c) the total number of persons put on this job and the money spent during 1959-60?

The Deputy Minis'er of Railways (Shri S. V. Ramaswamy): (a) Special squads of Travelling Ticket Examiners and "Rakshaks" of the Railway Protection Force have been set up on the Central, Eastern, Southern and Western Railways exclusively for dealing with beggars and unlicensed hawkers and vendors; on other Railways, this work is carried out by the General Ticket Checking Squads.

(b) The Squads have been useful in dealing with the evil.

(c) 272 persons were put on this job exclusively and the approximate expenditure on this account during 1959-60 was Rs. 4·11 lakhs.

Shri Subodh Hansda: May I know whether there is any proposal before the Railways to set up beggar homes for these beggars?

Shri S. V. Ramaswamy: It is not in the province of the Railways; it should be the duty of State Governments to provide beggar homes.

Shri Subodh Hansda: Since the inception of the scheme of 'Rakshaks' and special squads for solving this problem on the railways, how many beggars have been punished, how many vendors have been punished and what is the nature of the punishment meted out to the unlicensed vendors?

Shri S. V. Ramaswamy: Beggars have been removed from the platforms and sent out. Oftentimes they come back and it is difficult to have control over that.

Mr. Speaker: How many of them have been sentenced?

Shri S. V. Ramaswamy: I have got a lost list.

Mr. Speaker: Evidently the hon. Minister has got figures for each separated administration.

Shri S. V. Ramaswamy: Yes.

Mr. Speaker: They have to be totalled up. Let him place them on the Table. Then they will be printed.

Shri S. V. Ramaswamy: Yes.

Pandit D N. Tiwari: May I know what was the necessity of requisitioning a special staff for the Railways when others are dealt with by the regular staff?

Mr. Speaker: What is the meaning of asking such questions? They have to devise methods to get rid of this problem. For that special staff, there is an expenditure of Rs. 4 lakhs. I am afraid this House is being utilised for the purpose of eliciting information which even an ordinary person can get outside. I would ask the hon. Member to sit in the third-class compartment instead of the first-class and find out what exactly happens. I am not going to allow questions like this. Hon. Members may wait for the next Budget Session and then suggest methods to tackle this problem.

Pandit D. N. Tiwari: The fact is that only four zones have been chosen for special treatment. In the other zones, the problem is tackled by the regular staff. I want to know whether on these four zones the malady is more than in others.

Shri S. V. Ramaswamy: So far as the Eastern and Southern Railways are concerned, begging is the highest there. So far as the Central and Western Railways are concerned, hawking is the highest. That is why we have selected these four Railways.

Shri Tangamani: May I know whether this special squad or the existing regular staff will at least see that beggars with loathsome diseases are not allowed in the platforms in the first instance, and also unlicensed hawkers are not allowed to enter the compartments? Will at least these two things be done before the end of this year?

Shri S. V. Ramaswamy: There are standing instructions to see that they are removed, and not allowed to get into any compartment. But there may be cases where they are not looked into so carefully.

Pandit J. P. Jyotishi: May I know the number of hawkers brought to book and prosecuted on the different Railways?

Shri S. V. Ramaswamy: Should I read the list?

Mr. Speaker: He will place it on the Table.

Shri S. V. Ramaswamy: Yes, I place it on the Table. (*See* Appendix III, annexure No. 20.]

Some Hon. Members *rose*—

Mr. Speaker: This is a matter which has to be tackled in a different way. Hon. Members may send their suggestions or schemes to the Minister or they may take this matter up during the Budget Session.

Shri Warior: There are incidents like molestation of the railway staff by the vendors. Is the hon. Minister aware of that?

Shri Tangamani: Lepers come into the platform and the compartments...

Mr. Speaker: Everybody knows that. The hon. Minister has said that there are standing instructions.

Shri Warior: What instructions have been given?

Mr. Speaker: I will allow half a day for a discussion of this problem during the next Budget Session.

Employees of T.B. Hospitals in Delhi

***806. Shri S. M. Banerjee:** Will the Minister of **Health** be pleased to state:

(a) whether attention of Government has been drawn to the observation of Shri E. Krishamurti constituting the Industrial Award, Delhi, that employees of T.B. hospitals run great risk of infection and therefore should have more generous and nutritious diet;

(b) if so, whether this award will apply to all employees working in T.B. Hospitals in Delhi; and

(c) the steps taken by Government to revise their scales and allowances?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir.

(b) No, as the award was given on the dispute between the Tuberculosis Association of India and the employees of the New Delhi T.B. Centre and the T.B. Hospital, Mehrauli, only.

(c) Does not arise as the two institutions are under the administrative control of the T.B. Association and not that of Government of India. The T.B. Association of India has taken steps to move the Supreme Court for Special leave to appeal against this Award.

Shri S. M. Banerjee: In this particular award, Shri Krishnamurti has said something good about the employees working in T.B. hospitals. May I know whether the observations made by him will be taken into account by the Government and applied to all employees working in various T.B. sanatoria?

Shri Karmarkar: All matters which arise at the relevant time are taken into consideration. When the question comes to be considered, these observations also will doubtless be considered by the relevant Governments.

Shri S. M. Banerjee: I want to know what warranted the T.B. Association to appeal against this particular award when it did not say anything against the Government but only wanted to better the condition of those who are really serving the T.B. patients.

Shri Karmarkar: It is not Government who have appealed. It is the party which has a grievance that has done it. The party is the T.B. Association or India. We do not come into the picture at all.

Shri Tangamani: It has been pointed out that there is delay in the implementation of this award by taking the matter to the Supreme Court. Will Government at least dissuade this organisation from appealing to the Supreme Court because otherwise the benefit of the award will be denied to the workers?

Shri Karmarkar: If a party has a right to apeal to the Supreme Court, it would be wrong on the part of Government to intervene. I hope the hon. Member will concede that. So far as this question is concerned, it is the party that is before the Court, and that party is not the Government of India.

Shri B. K. Gaikwad: May I know how much money the Government spend on each T.B. patient's diet in Delhi?

Mr. Speaker: One single patient?

Shri B. K. Gaikwad: Yes, Sir. The question relates to improvement of conditions which includes diet also.

Shri Karmarkar: I should like to have notice. But I am told by some patients that the diet in the T.B. hospital at Mehrauli is better than many other similarly situated hospitals Regarding the actual expenditure per patient, it is likely to differ with each patient and my friend may address a separate question if it relates to any of the Government hospitals under the control of the Government of India.

Shri S. M. Banerjee: What are the main recommendations of this award and is the Government paying some amount to this association and has it some administrative control over this association?

Shri Karmarkar: No, Sir, we have no administrative control except that the Director General of Health Services is the Chairman of the Standing Committee. This association, is absolutely autonomous under the law. About the main recommendations, I may say that the substance of the whole thing is that those who are handling matters connected with T.B. patients run a risk and some risk allowance should be added to their pay. That is the substance of the award.

'पूर्व की यात्रा करो वर्ष'

+

*८०७. श्री भक्त दर्शन :
श्री विद्या चरण शुक्ल :
श्री यादव नारायण जाधव :
श्री प्रकाश वीर शास्त्री :
श्री दी० च० शर्मा :
डा० राम सुभग सिंह :
श्री अ० मु० तारिक :

क्या परिवहन तथा संचार मंत्री ३१ अगस्त, १९६० के तारांकित प्रश्न संख्या ९३२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) सन् १९६१ को 'पूर्व की यात्रा करो वर्ष' के रूप में मनाने के जिस प्रस्ताव पर विचार किया जा रहा था, क्या उसके बारे में अन्तिम निर्णय कर लिया गया है ; और

(ख) यदि हां, तो क्या उस निर्णय का ब्यौरा बताने वाला एक विवरण सभा-पटल पर रखा जायेगा ?

परिवहन तथा संचार मंत्रालय में राज्य मंत्री (श्री राज बहादुर) : (क) जी हां, सन् १९६१ को "पूर्व की यात्रा करिए—भारत आइए" का साल घोषित करने का निर्णय किया गया है ।

(ख) जी हां, एशिया तथा सुदूर पूर्व आर्थिक आयोग के इस सुझाव पर कि उसके सदस्य देशों को १९६१ का साल "पूर्व की यात्रा करिए" साल के रूप में मनाना चाहिये, भारत सरकार द्वारा किये गये निर्णयों का ब्यौरा यथासमय सभा-पटल पर रखा जायगा ।

Some hon. Members: The answer may be given in English as well.

Mr. Speaer: Yes.

Shri Raj Bahadur: (a) Yes, Sir. It has been decided to declare 1961 as 'Visit the Orient—Visit India' Year.

(b) Yes, Sir. A statement giving details of the decisions taken in connection with our participation in the ECAFE's proposal that member Governments should observe 1961 as 'Visit the Orient Year' will be placed on the Table of the House in due course.

श्री भक्त दर्शन : यह जो नया कार्यक्रम अगले वर्ष के लिए स्वीकार किया गया है क्या उसकी कुछ विशेषताओं पर प्रकाश डाला जाएगा, और उस पर कितना अतिरिक्त खर्चा होगा ?

श्री राज बहादुर : उसकी विशेषतायें हैं कि सारे सुदूर पूर्व के देश इस कायक्रम में सहयोग की दृष्टि से सम्मिलित होंगे ताकि अधिकाधिक यात्री इन देशों में पश्चिम के देशों से तथा अन्य देशों से आएं, और इसके लिए सामूहिक रूप से प्रचार का कार्य आरम्भ किया जाएगा । जहां तक रेल, हवाई यातायात और दूसरी सुविधाओं का सम्बन्ध है वे भी साथ साथ दी जाएं ऐसा ख्याल है ।

श्री भक्त दर्शन : क्योंकि यह कार्यक्रम इकाफे की प्रेरणा से स्वीकार किया गया है, तो क्या इकाफे ने इसमें कुछ आर्थिक सहयोग देने का आश्वासन भी दिया है ?

श्री राज बहादुर : मैं समझता हूं कि इकाफे की ओर से मूल में आर्थिक सहयोग मिलने का कोई प्रस्ताव नहीं है । जहां तक मेरी जानकारी है, इकाफे ने एक दूसरे आरगेनाइजेशन—इण्टरनेशनल यूनियन आफ आफिशियल ट्रेवलिंग आरगेनाइजेशन के प्रस्ताव को स्वीकार करते हुए इस प्रोग्राम के लिए इस क्षेत्र से सारे सम्बन्धित देशों को प्रेरणा दी है ।

Shri Yadav Narayan Jadhav: How many foreign tourists visited India last year and what was the foreign exchange earned?

Shri Raj Bahadur: Estimates show that as many as 109,000 foreign tourists visited India; this excludes visi-

tors from Pakistan and Ceylon and the tentaitve estimate of foreign exchange earned is about Rs. 19 crores according to the Reserve Bank's estimate.

Shri A. M. Tariq: May I know from the hon. Minister whether the hotel accommodation which we have got in India is sufficient only for 9,000 or 10,000 tourists and whether this year we are expecting more than a lakh tourists? If so what arrangements have been made for their lodging?

Shri Raj Bahadur: Firstly, with all respect, I would like to point out that the pronunciation is not 'Monister' but 'Minister'.

Shri A. M. Tariq: I never said 'Monister'.

Mr. Speaker: If he understood it wrongly, then why did he get up? If he felt that it did not apply to him, he could have kept quite. He must have understood it and felt that it applied to him. If he had kept quiet, then I would have corrected him. It is very interesting but this kind of small humour ought not to be indulged in.

Shri Raj Bahadur: So far as the question of hotel accommodation is concerned, it is true that the hotel accommodation in the country has not kept pace with the increase in the number of tourists. That involves quite a lot of money and investment in the hotel industry and we are trying to persuade the private sector to do as best as we can.

डा० गोविन्द दास : क्या माननीय मन्त्री जी को यह बात मालूम है कि हमारे यहां के कई दर्शनीय स्थान ऐसे हैं कि जिन स्थानों को पहुंचने के लिये न तो अब तक अच्छी सड़कें हैं और न वहां ठहरने की सुविधाएं हैं, जैसे आप उत्तराखण्ड को ही ले लीजिए । मैं जानना चाहता हूं कि क्या इन यात्रियों के आने के पहले इस प्रकार की सड़कों का और ठहरने के स्थानों का निर्माण कराया जाएगा जिससे कि वे लोग उत्तराखण्ड और इस प्रकार के दूसरे स्थानों को भी ले जाए जा सकें ?

श्री राज बहादुर : यह सड़कों आदि का अनुभव कई पीढ़ियों और शताब्दियों का है । शनैः शनैः इस बात की चेष्टा की जा रही है और प्रयत्न किया जा रहा है कि ये सुविधायें जो अब तक नहीं मिल पाती थीं उनको जुटाया जाए, सड़कें नई बनायी जाएं, ठहरने के स्थान नये बनाये जायें, और इनके लिये एक योजना के अनुसार कार्रवाई की जा रही है ।

Shri D. C. Sharma: May I know which of the countries of the Orient are co-operating in this venture and what they are going to contribute so far as the facilities are concerned?

Shri Raj Bahadur: The countries are the countries which are covered by the expression 'Asia and the Far East'.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि पूर्व के देशों के दर्शन के लिये जो लोग दूसरे देशों से आयेंगे उनसे सम्पर्क स्थापित करने के लिये और प्रचार करने के लिये क्या तरीका अपनाया गया है और उसके लिए क्या योजना बनायी गयी है, और इस सम्बन्ध में क्या इकाफे से भी कोई मदद पहुंच रही है ?

श्री राज बहादुर : जैसा मैंने अभी निवेदन किया विभिन्न देश अपने अपने क्षेत्रों में यात्रियों की सुविधाओं के लिये व्यवस्था करेंगे और उसके अनुसार ही प्रचार और प्रसार की कार्रवाई करेंगे, इस कार्यक्रम के सम्बन्ध में ।

Shri A. M. Tariq: May I know from the hon. Minister if he has seen the statement of the President of the American Express in which he has said that there should be some facilities for small cars being hired for the visitors and if so what action has been taken on it

Shri Raj Bahadur: That point was considered in the last meeting of the tourist development council which was of the opinion that it should recommend to the Central and the State Governments that this facility of providing small cars and taxis for the tourist parties should be extended as far as possible.

श्री भक्त दर्शन : जो कार्यक्रम स्वीकार किया है उसके अनुसार अगले वर्ष कितने विदेशी यात्रियों के आने की आशा है, और क्या यह अनुमान लगाया गया है कि उनसे कितनी आमदनी होगी ?

श्री राज बहादुर : निश्चित आंकड़े तो मैं नहीं दे सकता लेकिन यह संख्या हर साल बढ़ती रही है और उसमें बढ़ोतरी होती रही है, आशा है कि अगले साल उससे अधिक संख्या में यात्री आयेंग और उनमें बढ़ोतरी भी अधिक होगी ।

Shri Yadav Narayan Jadhav: May I know whether it has come to the notice of the Minister that sometimes the tourists holding, say an air conditioned class ticket are compelled to travel in First Class but the difference in the fare is not returned to them as early as possible and they have to face so many difficulties?

Shri Raj Bahadur: I have no specific case in my view and I will be grateful if the hon. Member would kindly point this out to the Railways and I am sure they will look into it.

Mr. Speaker: Generally it takes 3-4 months; the hon. Minister knows it. Apart from the tourists, for any person it takes ordinarily so much time.

Shri Raj Bahadur: The tourist department is a co-ordinating department.

Mr. Speaker: When anything is said here in favour of or against something, it is said against or in favour of the whole Cabinet and not one particular Minister.

Shri Tangamani: There was a party of tourists which toured the country for one month and when they left they made a complaint to the Press correspondents in Madurai. They also said that they would lodge a complaint with the Director of Tourism. I would like to know whether they have received such a complaint; if so, what action is being taken to rectify the defects?

Shri Raj Bahadur: If the hon. Member is referring to a party which come by the land route, they were detained by the customs authorities at Attari near Amritsar. I have read that report. The customs authorities were a little cautious because of increasing cases of smuggling. It may be that there was no justification for holding up people for hours or keeping the goods for a long time, but certain restrictions and certain checks on the frontier are necessary.

Shri Tangamani: I am not talking about the detention by the customs only. In a hotel in Indore they were kept like prisoners for four hours. That was also another allegation.

Mr. Speaker: Order, order. We are going into minute details. Hon. Members should bring such things to the notice of the Minister. What I would suggest is, let them exhaust all other remedies—local people, General Managers of the Railways and others—and ultimately go to the Minister. If even then they do not have any redress let them come to this House and not otherwise.

Ship Repair Facilities

***809. Shri Ram Krishan Gupta:** Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Unstarred Question No. 1795 on the 31st August, 1960 and state:

(a) the nature of the steps taken or proposed to be taken for development and expansion of various establishments for ship repairs;

(b) whether Government have received any plans from such establishments; and

(c) at what stage is the proposal to set up an All India Advisory Body with representatives of ship repairs, ship builders, ship owners, major ports and the departments of Government concerned?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): A statement is laid on the Table of the Sabha.

STATEMENT

(a) and (b). Replies are still awaited from some of the Ship-repair firms which have been addressed in regard to their plans for development and expansion of their workshops. The matter will be processed further on receipt of their replies.

(c) Government have carefully considered this recommendation and have come to the conclusion that it would be sufficient, for the present, if local Advisory Committees are set up at Bombay and Calcutta as suggested by the Ship Repairs Committee. Steps are being taken to set up these local Committees as soon as possible.

Shri Ram Krishan Gupta: May I know whether there is any proposal to finalise this scheme before the starting of the Third Five Year Plan?

Shri Raj Bahadur: The question of providing repair facilities is one which engages our attention constantly and we are at it. So I do not exactly know what the hon. Member means by saying: "before the starting of the Third Five Year Plan". We are trying to do our best—whatever we can—to augment those facilities and provide such assistance to repairing concerns as they need.

Shri Muhammad Elias: There are some good ship repairing and ship building factories in our country. One of the best factories, the Shalimar Works, controlled by a foreign company—Turner Morrison & Company—is not being run properly after independence. It has got the best skilled workers and technicians. There are very good machines in that factory, but they are not being properly utilised. May I know whether this type of ship building factories will be taken over by the Government in the same way as the Garden Reach Workshop has been taken over by the Defence Ministry?

Shri Raj Bahadur: I do not have any specific knowledge about the complaints which the hon. Member has made about that particular private ship repairing firm. I should like to say that, on our part, we addressed 19 ship repairing concerns for the type of developmental assistance they needed from the Government. We have received replies from 11 firms. Only wo have indicated their programme of expansion and two have given interim replies informing us that they will ask for assistance if they need in due course.

Shri Muhammed Elias: What about that factory?

Shri Raj Bahadur I have not got that name.

Shri Sadhan Gupta: May I know whether in setting up these advisory committees the Government have considered the desirability of including represenatives of workers also; if so, with what result?

Shri Raj Bahadur: I would say, two local advisory committees will be set up and they will consist of representatives of different categories and different sections including two representatives of INSOA, one representative of the Shipping Corporation, one representative of ship chandlers, one representative of the Bombay Port Trust and so on.

Shri Indrajit Gupta: The Garden Reach Workshop was one of the best ship repairing workshops in the country. Now that it has been taken over by the Government, may I know whether normal repairing facilities will be available in that workshop or whether it will be available only for the specific works of the Defence Ministry?

Shri Raj Bahadur: As the hon. Member knows the Garden Reach

Workshop as also the Mazagaon Dock in Bombay have been taken over by the Defence Ministry. I am sure they are trying not only to retain and maintain those workshops at their present levels of capacity and efficiency but they will also try to improve upon them.

Shri Indrajit Gupta: My question was whether normal ship repairing works will be undertaken there?

Shri Raj Bahadur: I think my answer was clear. They will not only retain and maintain the present facilities of repairs etc., but try to augment them because they would like to run it as an economic concern.

Shri Warior: May I know whether the Government contemplate to have similar advisory bodies for other major ports also?

Shri Raj Bahadur: It depends upon the areas or the concentration of industry as such. I do not exactly know whether I can hold out any assurance about that.

श्री म० ला० द्विवेदी : मैं यह जनना चाहता हूं कि जो जहाजों की मरम्मत के काम होने जा रहे हैं उसमें सरकारी क्षेत्र में भी क्या कोई मरम्मत का काम शुरू किया जायेगा और यदि नहीं तो क्यों नहीं ? . . .

अध्यक्ष महोदय : कितने प्रश्न हैं ?

श्री म० ला० द्विवेदी : एक ही प्रश्न है । और जो प्राइवेट लोग खोलेंग उनको सरकार से क्या सहायता मिलेगी ?

श्री राज बहादुर : सरकारी क्षेत्र में जैसा मैंने निवेदन किया मैजागांव डौक और गाडन रीच वर्कशाप पहले से ही मौजूद हैं और हिन्दुस्तान शिपयार्ड लिमिटेड है वह भी जब ड्राई डौक की सुविधा वहां हो जायेगी तो वहां भी यह काम कर सकेंग । जो उनका छोटा ड्राई डौक है उससे थोड़ा बहुत काम हो सकेगा ।

श्री म० ला० द्विवेदी : प्राइवेट लोगों को क्या सहाय्यता मिलेगी ?

श्री राज बहादुर : प्राइवेट लोगों को सहायता जो उनकी आवश्यकता होगी और देश की जो आर्थिक वित्त व्यवस्था होगी उसको ध्यान में रखते हुए सहायता की जायेगी ।

श्री म० ला० द्विवेदी : पहले जो मैंने प्रश्न पूछा था उसका आधा उत्तर दिया था ।

अध्यक्ष महोदय : नहीं नहीं । खड़े होकर श्न पूछना चाहिये ।

After putting a question hon. Members should not carry on with other questions sitting.

Rural Electrification

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***810.** **Shri Ajit Singh Sarhadi:**
Shri S. A. Mehdi:
Shri Tangamani:

Will the Minister of **Community Development and Cooperation** be pleased to refer to the reply given to Unstarred Question No. 756 on the 16th August, 1960 and state:

(a) whether any decision has since been taken regarding rural electrification; and

(b) if not, the reasons therefor?

The Deputy Minister of Community Development and Cooperation (Shri B. S. Murthy): (a) and (b). The question of rural electrification was discussed in the meeting of the Central Committee held on the 26th November, 1960 and it was decided that the matter be studied by a Committee representing the Planning Commission and the Central Ministries concerned.

Shri Ajit Singh Sarhadi: Discussion has been going on about this matter. May I know when the final decision will be taken?

Shri B. S. Murthy: The Committee has not yet been appointed.

Shri Tangamani: May I know whether the Central Committee which met recently in Delhi apprised of the number of villages where there is rural electrification and the number of villages where electric power is being utilised for irrigation; if so, may I know what is the proposal for electrifying the villages during the Third Plan and whether they have at least ascertained or come to some conclusion about the number of villages to be electrified during the Third Plan?

Shri B. S. Murthy: This seems to be a blanket question and I do not think I have answer for all these things. About 23,000 villages would have been electrified by the end of March 1961 and by the end of the Third Plan about 40,000 more villages will be electrified.

डा० गोविन्द दास : क्या माननीय मंत्री को यह बात मालूम है कि जिन देहातों में अब तक बिजली जा चुकी है और जहां जाने वाली है वहां अभी तक कोई इस प्रकार का प्रबन्ध नहीं हुआ कि वहां पर कुटीर उद्योग भी शुरू किये जायं और क्या यह जो कमेटी बनाई जा रही है यह इस बात की भी जांच करेगी कि इस प्रकार के गांवों में किस प्रकार के कुटीर उद्योग बनाये जा सकते हैं और इस प्रकार के कुटीर उद्योग स्थापित करने के लिये क्या सरकार वहां के लोगों को कुछ आर्थिक सहायता भी देगी ?

Shri B. S. Murthy: Electricity is necessary for cottage industries, but electricity must first be taken to the villages and then only the question of giving help to the cottage industries which can take advantage of electricity will come up.

डा० गोविन्द दास : मेरे एक सवाल का जवाब नहीं दिया कि क्या इस प्रकार के कुटीर उद्योगों की स्थापना में सरकार वहां के लोगों को कुछ आर्थिक सहायता भी देगी ?

Shri B. S. Murthy: I do not know whether his question is about giving help for subsidised electricity or for the starting of cottage industries.

Dr. Govind Das: Both.

Mr. Speaker: We are going away from one subject to the other. This relates to rural electrification. It may be used for various purposes.

Dr. Govind Das: I wanted to know whether help will be given to villagers to establish cottage industries when the electrification is done?

Mr. Speaker: The hon. Minister need not answer the question. It has no relevance to this main question. The only question is, how many villages have been electrified. Of course, the electricity could be used for agricultural purposes. But the hon. Member asked only about industries. Why should he ask, for instance, as to how many wells should be provided? (*Interruptions*). Order, order. Hon. Members must first think within themselves.

Hereafter, so far as supplementary questions relating to the main questions are concerned, I am only going to call upon those hon. Members who have given notice of the question. I do not know whether the hon. member who put the question, Dr. Govind Das, has referred to the Unstarred Question and Answer. What happens is, the hon. Member who has put the main question is elbowed out and other hon. Members take possession of the House and go on putting questions. That is another difficulty. Further, in regard to questions arising out of an answer already given, the hon. Member who has tabled the question knows what answer has been given. But then other hon. Members try to intrude. They have got a right to put questions, but then they can do so only after the others are exhausted.

Shri M. L. Dwivedi: We already read some of the answers to questions that have been tabled and then only ask supplementary questions.

Mr. Speaker: But should I not give preference to those hon. Members who have tabled the question first?

Shri M. L. Dwivedi: You must, Sir.

Mr. Speaker: If there is time, the other hon. Members will take their chance.

श्री म० ला० द्विवेदी : देहातों में जो बिजली पहुंचाई जा रही है, उसकी दरें शहरों की दरों से बहुत ऊंची हैं। यहां तक कि जब कि दिल्ली में दर साढ़े तीन ग्राने है, देहातों में ग्राठ, नौ ग्रौर बाहर ग्राने है। मैं यह जानना चाहता हूं कि देहातों में सस्ती बिजली पहुंचाई जाये, इसके लिये क्या सरकार ने सोचा है, यदि हां, तो क्या ?

Shri B. S. Murthy: It is only to examine this question of giving some subsidy, as far as the electricity that is supplied to the villages is concerned, that a committee has been appointed.

Shri Ajit Singh Sarhadi: May I know whether there is a scheme under consideration in relation to the fixing of yearly targets for rural electrification in the States?

Shri B. S. Murthy: There is a target, and it is only on the basis of the target that electrification is going on.

Shri Ajit Singh Sarhadi: What is the basis of the target?

Shri B. S. Murthy: I have already said that about 40,000 villages will be electrified by the end of the third Plan, and by the end of the fifth Plan, it is expected that as many as 1,40,000 villages and towns would have been electrified.

Shri Tangamani: May I know whether it is a fact that the Government of Madras wanted that they must be given facilities for electrifying 10,000 villages in the third Plan period and, if so, what is the reaction of the Government of India?

Shri B. S. Murthy: Each State will come to the Centre to settle the plans, and the plans will be processed and what money is available and is needed is always being given.

Shri Muhammad Elias: In the small number of villages that have been electrified, the charges are too high. The common people cannot pay them, except a small number of big business people. So, may I know whether there is any proposal to reduce the charges for the supply of electricity to the rural areas?

Shri B. S. Murthy: I have already answered that question.

Shri Tyagi: Is it the settled policy of the Government to charge three times and four times the rate in villages when compared to the rates obtaining in towns and, if so, why is this difference?

Shri B. S. Murthy: There is no such settled policy in regard to anything. The policy has to change as and when there is a need to change it. As I have already said, there is a committee to be appointed, which will be entrusted with the task of seeing how far electrification in the rural areas could be subsidised so that the electricity that is being used for cottage industries and agricultural purposes will not be beyond the capacity of the small scale industrial worker or the agriculturist to pay.

Shri Tyagi: I wanted to know why this distinction is made between the rates for electricity that is supplied to the villages and the towns now. For the future, the hon. Minister is doing quite all right. That is welcome. I want to know on what basis is the present difference maintained.

Mr. Speaker: Are the rates for villages higher than those for towns?

Shri Tyagi: Eight annas and three and a half annas for villages and towns respectively.

Mr. Speaker: What is the reason for this difference? Hon. Members want to know why this discrimination is made.

The Deputy Minister of Irrigation and Power (Shri Hathi): So far as the small scale industries are concerned, a subsidy is given by the Centre and by the States. When the rate is more than 9 nP, half the difference between the 9 nP and the higher rate is borne by the State and the Centre. A subsidy is being given for the small scale industries.

Shri Tyagi: What about the charges for lighting? The charge is eight annas in villages and three annas in towns!

Shri Hathi: The rates generally depend upon the cost of production at the particular station. If the villages are served by a big hydel power station, then the rates do not vary, but if they are served by a unit or division located in a particular place, then the cost of production will be high, but in order that facilities may be given to the small scale industries, a subsidy is being given and the rate is not more than 9 nP for small scale industries. (*Interruption*).

Shri Tyagi: There are certain villages falling within the line of supply to the towns from the production centre. What about such villages that fall within the line, which are on the way?

Shri M. L. Dwivedi: In Hazaribagh area, they are charging four annas per unit while the State Government is getting....

Mr. Speaker: Order, order. This is a matter of policy. So far as the villages are concerned, of course, there is the opinion expressed by hon. Members and many people will agree that the villagers must be encouraged to have electricity and also at cheaper rates and that the townsmen can bear a higher rate. But it is a matter of policy. If hon. Members want to pursue this, they can pursue it separately.

Shri M. L. Dwivedi: It is not a matter of policy, if I may submit. At Hazaribagh, they are charging four annas per unit for the villagers, whereas the State Government is being supplied at only one anna per unit. The difference comes to three annas per unit. Let the hon. Minister reply.

Mr. Speaker: There are five lakh villages for which hon. Members in this House are responsible. So, should I allow questions relating to all the five lakh villages?

Shri B. S. Murthy: I may inform the hon. House that the Ministry of Community Development is pleading on behalf of the villages to see that electricity is supplied as early as possible to the villages and, as far as possible, at the lowest cost.

Shri Tyagi: You are with us.

Shri B. K. Gaikwad: Whatever electrification there may be in the third Plan, may I know what will be the estimated amount of it and in what State particularly it will be?

Shri B. S. Murthy: The estimated amount in the third Plan is Rs. 925 crores, of which Rs. 105 crores have been earmarked for rural electrification.

Shri Mohammed Imam: Has the Central Government received information from the State Governments as to the number of villages they are going to supply electricity during the next Five Year Plan?

Shri B. S. Murthy: It is only on the basis of that, that about 40,000 villages are going to be electrified. I have already given the figures.

T.B. and Leprosy

***811. Shri Nanjappan:** Will the Minister of **Health** be pleased to state:

(a) the results of experiments carried out by Dr. N. R. Menon of Trichur, Kerala State, with certain new, specific and herbal drugs in the treatment of Tuberculosis and Leprosy;

(b) the opinions of experts on the same; and

(c) the aid given for research work by the Central Government in this regard?

The Minister of Health (Shri Karmarkar): (a) and (b). Fifteen cases of Leprosy that were treated at the School of Tropical Medicine, Calcutta, according to the directions given by Dr. Menon showed no clinical or bacteriological improvement in any case. On the other hand, the lesions increased to a slight extent in 3 non-lepromatous cases. The drug was, however, not toxic in any way and the patient could tolerate it nicely. In the majority of the cases it helped regular movement of the bowels.

(c) No financial assistance was given to Dr. Menon to continue this research.

Shri Nanjappan: May I know whether the Health Ministry of the Kerala Government visited the laboratory of Dr. Menon and made any report?

Shri Karmarkar: I am not aware if the Health Minister of Kerala visited it, and I am not also aware if he was required to make a report.

Shri Nanjappan: Is it not a fact that he was directed only by the Government of India?

Shri Karmarkar: I am not aware of that. I should like to find out the position, because this is a question connected with the Indian Council of Medical Research, and the Government of India normally do not come into the matter. In regard to the question put by the hon. Member, I shall find out the position.

Shri P. C. Borooah: Has the opinion of the Tuberculosis Association of India been obtained about these drugs and, if not, what is the reason?

Shri Karmarkar: We do not consult the Tuberculosis Association on questions concerning leprosy.

Shri S. M. Banerjee *rose*—

Mr. Speaker: Evidently, the hon. Member wanted to know whether the Government consulted the Leprosy Association.

Shri Karmarkar: There is no Leprosy Association as such working under the auspices of the Government of India.

Mr. Speaker: Is there not a Kusht Nivarana Sangh or something like that?

Shri Karmarkar: There is a Kusht Nivarana Sangh, and it is doing a little work in its own way. But that is not fully equipped to go into this whole question.

Shri S. M. Banerjee: May I know whether it is a fact that the Hamdard Davakhana is actually starting a medical research institute in which they are likely to have research for leprosy and TB and whether Government is going to give them some aid to establish the research institute with herbal treatment?

Shri Karmarkar: I have read in the papers that there was a meeting in which there was an idea adumbrated by the Hamdard Institute for starting an institution of the history of medicine. That is all I know about it. If the hon. Member wants more information, I shall find out.

श्री अब्दुल लतीफ : क्या गवर्नमेंट को मालूम है कि आयुर्वेदिक और यनानी तरीके इलाज में दिक, कुहड़ के कामयाब इलाज मौजूद हैं जिसको सदियों से कामयाबी के साथ आज़माया जाता रहा है ? क्या गवर्नमेंठ ने आयुर्वेदिक रिसर्च इंस्टीट्यूट और हमदर्द दवाखाना हिस्ट्री आफ मैडिसिन्स रिसर्च इंस्टीट्यूट की मजीद रिसर्च करने के लिये कोई इमदाद की है, अगर नहीं की तो क्या गवर्नमेंट इमदाद करने का इरादा रखती है ?

(کیا گورنمنٹ کو معلوم هے که آیورویدک اور یونانی طریقه علاج مین دق- کوڑھ کے کامیاب علاج موجود هین جس کو

صدیون سے کامیابی کے ساتھہ آزمایا جاتا رھا ھے۔ کیا گورنمنٹ نئے آیورویدک ریسرچ انسٹیٹیوٹ اور ھمدرد دواخانہ ھستی آف میڈیسنس ریسرچ انسٹیٹیوٹ کی مزید ریسرچ کرنے کے لئے کوئی اِمداد کی ھے۔ اگر نھیں کی تو کیا گورنمنٹ اِمداد کرنے کا ارادہ رکھتی ھے۔)

Shri Karmarkar: What I gather from the hon. Member's question is—I am speaking subject to correction by the hon. Member—what use Government are making of the ayurvedic herbs in such cases and what assistance they propose to give to the Hamdard Davakhana for the efforts they are making? If that is the question, I should like to have notice of that question.

Shri Nanjappan: May I know whether the Indian Council of Medical Research recorded any opinion on this drug?

Shri Karmarkar: The Indian Council of Medical Research did not record any medical opinion. They sent the particular medicine for trial at a known institute at the School of Tropical Medicine. What I told the House is the result obtained at the School of Tropical Medicine.

Diesel Traction

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*813. { **Shri Vidya Charan Shukla:**
Shri D. C. Sharma:

Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 275 on the 10th August, 1960 and state:

(a) whether extension of diesel traction is being considered by Government; and

(b) if so, the particulars thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes. Sir.

(b) It is proposed to have diesel traction for goods trains on about 3800 miles of busy sections during the 3rd Plan period for the movement of coal, raw materials for steel plants and other through freight traffic.

Shri Vidya Charan Shukla: What would be the financial outlay on this programme of dieselisation?

Shri S. V. Ramaswamy: That is yet to be worked out.

Shri Harish Chandra Mathur: In view of the fact that even the buses and trucks which are running on diesel are being converted to petrol because of our difficulty to get diesel, which has got to be imported, in such circumstances, may I know how the railways propose to have the availability of diesel for this conversion?

Shri S. V. Ramaswamy: All these factors have been taken into consideration. The Planning Commission is seized of the matter. The oil resources are being assessed and we are phasing the programme accordingly.

Revenue by Road Transport

*814. **Shri Harish Chandra Mathur:** Will the Minister of **Transport and Communications** be pleased to state:

(a) what is the contribution of road transport to the public exchequer (a) Central and (b) States in each of the last three years;

(b) what amount has been spent on providing amenities to the users of road transport; and

(c) how this return compares with that of railways with reference to the capital outlay on each?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c). The information required is not readily available and is being collected from the State Governments and Union Territories and will be laid on the Table of the House as soon as it becomes available.

Shri Harish Chandra Mathur: May I know whether the Government have examined the report of the Director-General of Economic Research in this particular respect and whether they agree with the conclusions in that report on this matter?

Shri Raj Bahadur: I am not aware of the conclusions.

Shri Mohammed Imam: The income from road transport was formed into a separate fund called road development fund and it was utilised for the improvement of roads, providing other facilities, etc. Now it is merged in the general fund. Will Government see that all the income from road transport is constituted into a separate fund, which will be used exclusively for the development of roads and for giving amenities to passengers.

Shri Raj Bahadur: I think the hon. Member is referring to what is known as the central road fund, which is built out of the cess levied on petrol, gasoline used by the transport industry and other industries. That is a separate fund.

Shri Mohammed Imam: What about the income derived from road cess and other taxes levied on transport, buses, etc. All that income must be constituted into a separate fund.

Mr. Speaker: They do not belong to the Centre.

Shri Mohammed Imam: Direction must be given to the States. That was the practice.

Shri Raj Bahadur: Suggestions of this type have been made from time to time by certain bodies, but at present we have no such proposal under consideration.

Shri Tangamani: The hon. Minister was pleased to lay on the Table of this House a report of the Council of Applied Economic Research giving the potentiality of the workers who will be employed there and the number of workers actually employed, the income that is derived, etc. We would like to know the views of the Government on that.

Shri Raj Bahadur: I think the hon. Member is referring to a question No. 2042 asked on 17th March, 1959.

Shri Tangamani: I am referring to the current session itself. An extract from the report containing the two items—number of workers who are employed and the contribution to the central revenue by road transport compared to the number of workers employed in the railways and the contribution to the central revenue, was placed on the Table of the House.

Shri Raj Bahadur: These particular matters were the subject of study by the Council of Applied Economic Research. The hon. Member seems to refer to that. That is an independent body and it has gone through the whole question. It has examined certain facts and figures, collected certain data and on the basis of that data, it has come to certain conclusions. Those conclusions are not such that they may be accepted or authentic so far as Government are concerned.

Shri N. R. Muniswamy: May I know whether the income-tax recovered from the co-operative road transport societies will be used for improvement of roads, etc?

Shri Raj Bahadur: Income-tax is recovered from private undertakings. Wherever it is nationalised and transport is run departmentally, no income-tax is paid. Where it is running as a corporation, income-tax is recovered.

Shri N. R. Muniswamy: What about co-operative road transport societies?

Shri Raj Bahadur: I am not aware whether there are many of that type. We are trying to have some sort of pilot projects for establishing transport co-operative societies consisting of educated unemployed young men.

Shri Harish Chandra Mathur: Referring to part (b) of the question, may I know whether the Government have no programme for passenger amenities?

Shri Raj Bahadur: We cannot say that we have got no programme. This matter is very important; we attach the greatest importance to the fact that road-side amenities must be provided to passengers and to other users of road or motor transport. For that purpose, this particular subject is being discussed from time to time at the meetings of the transport controllers and commissioners and also by other bodies. Such conclusions as are arrived at are recommended to the State Governments or to other bodies for implementation. I must say that the progress achieved in this matter is not substantial and not satisfactory. We desire to do as much as possible for this purpose; but this is a matter which we have taken up only recently.

Dr. M. S. Aney: Will the Government be pleased to erect sheds for passengers who have to wait for long hours at the stations?

Shri Raj Bahadur: So far as city buses are concerned, many of the States have taken that particular step. But that is not so for long distance motor transport users. It is our earnest desire to include that also for this purpose.

Shri Panigrahi: May I know whether any report has been received from nationalised road transport undertakings from different States that they are not working properly and if so, what steps are being taken to see that their working is improved?

Shri Raj Bahadur: I am not aware of which report the hon. Member is referring to regarding the State Transport undertakings as such.

Shipping of Foodgrains under P.L.-480

***815. Shri Ajit Singh Sarhadi:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that the Indian ship owners have submitted a scheme to the Government of India whereby they will be enabled to contribute substantially in saving foreign exchange and taking up the lifting of foodgrains cargo under P.L.-480 agreed with U.S.A.; and

(b) if so, the nature of the scheme and the reaction of the Government of India thereon?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

(b) Does not arise.

Shri Ajit Singh Sarhadi: May I know whether there is any scheme of giving contracts to Indian shipping agents for lifting cargo by the acquisition of some more ships and, if so, which agencies are agreeable to this?

Shri Raj Bahadur: The Department of Transport is anxious to utilize this opportunity of the import of foodgrains from America as best as they can for acquisition of fresh tonnage. For that purpose we have got under consideration one or two specific offers that we have received from certain parties.

Shri V. P. Nayar: I want to know whether the Government have any idea of the total shipping bills which will necessarily have to be paid for the transport of these foodgrains and whether any programme has been decided upon by them whereby they can get at least a portion of that for Indian shipping.

Shri Raj Bahadur: The freight charges will come to approximately Rs. 70 crores to 80 crores. That is the estimate.

Shri V. P. Nayar: That is only an answer to the first part of my question. Have Government any programme whereby at least a section of that will go to Indian shipping?

Shri Raj Bahadur: That depends upon the extent to which we are able to acquire bulk carriers or shipping for that purpose. For that we require foreign exchange immediately and that has got to be arranged.

Shri Hem Barua: May I know whether it is a fact that there is a proposal to have month to month arrangement rather than having a long term arrangement with the shipping companies for clearing these foodgrains from America? May I also know whether it is a fact that there is a proposal to purchase ships instead of hiring ships?

Mr. Speaker: There was some half an hour or two hour discussion on this, I think.

Shri Raj Bahadur: Shall I answer this question?

Mr. Speaker: Since the last discussion if anything further has happened he may answer.

Shri Raj Bahadur: Tenders have been received and they have been examined by the Indian Supply Mission, Washington. As soon as we get a report from them we shall be able to decide on what basis it should be done—month to month basis, annual basis or four year basis. Then a decision would be arrived at.

Shri Tyagi: The hon. Minister has just now stated that the charges would be about Rs. 80 crores. I wonder if the Government have examined a proposal for buying a few ships rather than paying this much hire charges, because Rs. 80 crores might bring 8 ships.

Shri Raj Bahadur: Rs. 80 crores may, of course, bring 8 ships. But the question is from where we will pay this Rs. 80 crores immediately. That is what we are at present addressing ourselves to, and we hope by some sort of proposal we shall be able to acquire some ships.

Shri Tyagi: Can we not get them on deferred payment basis?

The Minister of Transport and Communications (Dr. P. Subbarayan): I would like to add that when we say Rs. 80 crores, it means Rs. 80 crores of foreign exchange. I do not know whether my friend, Shri Tyagi, has thought about this aspect.

Mr. Speaker: I find that Shri Raghunath Singh is not here. He was not tired of raising this question and, if I remember aright, we had a couple of hours' discussion. The whole point is that anyhow Rs. 80 crores have to be paid by way of transit charges, and if you are able to find that amount of foreign exchange why do you not utilize it for purchasing ships so that that amount may be saved. That is the point that he has been urging from time to time and that is what evidently Shri Tyagi asks. If foreign exchange has to be spent anyhow, then why not spend it for the acquisition of ships?

Dr. P. Subbarayan: I would like to point out that foreign exchange in driblets is very different from allocating a large amount of foreign exchange for the purchase of ships.

Shri Tyagi: In any case, within a fixed period Rs. 80 crores have to be paid.

Mr. Speaker: The same points were raised even then and the same arguments were given in reply.

Shri N. R. Muniswamy: May I know whether the Indian ship owners were asked to submit a report or they submitted a scheme voluntarily?

Shri Raj Bahadur: We asked the Indian ship owners to come to a tentative conclusion on this particular proposal. In fact, we called them in a conference in which I was present. On account of the prevailing market rates they said that it will not be economic for them to enter this particular business at this stage. They want Government to subsidise them for transport. That is also another question.

Shri V. P. Nayar: Is it not a fact that under P.L.-480 America stipulates that some shipping should be entrusted to American ships? If so, what is the percentage?

Shri Raj Bahadur: 50 per cent of the foodgrain cargo will be carried under American flags and 50 per cent is open to us to carry by whatever ships we like. It depends upon how many Indian flag carriers can be provided for this purpose.

A.I.I. Freighter Service

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*817. { **Shri Indrajit Gupta:**
Shrimati Renu Chakravartty:
Shri Halder:

Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 1077 on the 5th September, 1960 and state:

(a) whether Air India International has started the freighter service to U.S.A. with its own equipment and crew; and

(b) whether the agreement with the U.S. air company automatically lapses thereupon?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) Air India International have introduced a freighter service between India and the United Kingdom with its own equipment and crew with effect from 14th November, 1960.

(b) The Agreement with Seaboard and Western Airlines terminated on the 13th November, 1960.

Shri Indrajit Gupta: May I know whether Government have calculated the extra revenue which is likely to accrue to the AII as a result of this scheme?

Shri Mohiuddin: It is a business proposition undertaken by a business corporation, Air India, and it will not be undertaken unless the business is expected to yield some profits.

Shri Indrajit Gupta: What is the estimate of the additional income that is likely to come by way of this?

Shri Mohiuddin: It is rather difficult to say at this stage. The contract has been terminated in November 1960. We will wait and see. I do expect that it will give some profits.

Silt Deposits in Bombay Port

*818. **Shri Yadav Narayan Jadhav:** Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 1107 on the 17th December, 1958, and state:

(a) what steps have been taken to remove the silt deposits in Bombay Port;

(b) what is the present position of the silt deposits; and

(c) what is the progress made in the removal of the silt deposits?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): A statement is laid on the Table of the Sabha.

STATEMENT

(a) to (c). On the basis of a careful survey of the Bombay Harbour Entrance Channel and after taking into account the depth required for the passage of deep-drafted vessels, a scheme comprising of three phases has been prepared for the dredging of the Channel. The first two phases covering the middle and the northern portions of the Channel will be executed by contract dredging. The third phase covering the southern portion is not so urgent and is likely to be executed departmentally after the new dredger at present being built for the Bombay Port Trust in the Netherlands is received.

On the basis of the model experiments conducted by the Central Water and Power Research Station, Poona, two sites—one off the Thal Reef and the other off the Prong's Reef near the mouth of the harbour have been selected for the disposal of the spoil in the flood and ebb tides respectively.

At present, the governing depth in the entrance channel is 30 ft. It is proposed to dredge the channel to a depth of 33 ft. In addition, an anchorage dredged to a depth of 38 ft. will be provided to accommodate three deep drafted tankers.

Shri Yadav Narayan Jadhav: Is it not a fact that the scheme was prepared when the hon. Shri S. K. Patil was the Minister? How long will it take for the actual execution of the scheme?

Shri Raj Bahadur: As the hon. Member will notice, there are three phases to this scheme. The first phase will be carried out as soon as possible. It has been indicated in the statement that a dredger is under construction for this purpose.

Shri Yadav Narayan Jadhav: What is the progress of the construction of the dredger in Netherland?

Shri Raj Bahadur: The order has been placed and normally the date of delivery is after 18 months or more.

Shri Assar: What progress has been made by the Government in the utilisation of radio-active substances for this purpose?

Shri Raj Bahadur: Radio-active substances are used to find out the best place for the deposit of silt that would be taken out by the dredger. For that, certain decisions have been arrived at as to where the silt is going to be deposited.

Colonisation in Delhi

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*819. { **Shri Radha Raman:**
Shri Ram Krishan Gupta:

Will the Minister of **Health** be pleased to state:

(a) whether the Chief Commissioner of Delhi has submitted any report to Government, embodying suggestions as to the land use in Delhi and regularization of future colonization programmes;

(b) if so, what are its details; and

(c) whether Government have accepted the report and suggestions contained therein *in toto* or in parts?

The Minister of Health (Shri Karmarkar): (a) to (c). The Chief Commissioner of Delhi has submitted a note on large scale acquisition and development of land in Delhi which is under consideration at present. It does not however, contain detailed plans about the land use in Delhi or future colonization programmes.

Shri Radha Raman: May I know whether the note which the Chief Commissioner has submitted to the Government contained certain specific recommendations with regard to the land use and how land can be distributed and, if so, what are those specific points?

Shri Karmarkar: As I have indicated earlier, he has not dealt with the subject of use of land as such. That is for the Town Planning Organisation and the DDA. What he has done is to suggest on what basis the land should be distributed. Land has already been acquired and there have been so many questions and answers about them.

Shri Radha Raman: The hon. Minister has just now stated that the note contains some recommendations with regard to the distribution of land. What are those recommendations?

Shri Karmarkar: It is a document which is still under the consideration of the Government and I shall be very happy to lay a copy on the Table of the House as soon as a decision is taken. As I indicated, there were questions and supplementaries on this even last week. Certain tentative conclusions have been arrived at by the inter-departmental meeting under the chairmanship of the Home Minister. That matter is now almost in final stages of being considered and decided upon.

Mr. Speaker: I understood the hon. Minister to say the other day that the

Master Plan will be discussed with those members who are interested in it. Has it been done?

Shri Karmarkar: I am grateful to you for giving me this opportunity for making this additional announcement. We have fixed the 13th, between 9.30 a.m. and 11 a.m. for this

12 hrs.

discussion. I am looking forward to all useful suggestions by hon. Members.

Shri Radha Raman: May I know whether the Chief Commissioner's recommendation or note contains anything with regard to colonisation in Delhi or about the treatment which the colonisers of Delhi will have under the new scheme?

Shri Karmarkar: As I said, it related to acquisition and development of land. So far as distribution is concerned, as I had occasion to indicate to the House last time, co-operative building societies are being sought to be given a preference and all that which I said last time.

Shri Radha Raman: The hon. Minister has just now said that the points which the Chief Commissioner made out in his note are under consideration. How long will Government take to come to a final decision with regard to the note?

Shri Karmarkar: An answer to a question of that kind is very difficult to anticipate. But if I were to have my way, I should have finished it within six months' time.

Shrimati Ila Palchoudhuri: Within this scheme is a scheme for displaced persons of East Bengal to be settled in Delhi and Kalkaji also included? A colony has to be put up in Delhi for them.

Shri Karmarkar: If I might tell my hon. friend with great respect, the whole of this question and answer relate to Delhi and Delhi alone and not to East Bengal and West Bengal.

Shrimat Ila Palchoudhuri: This colony will be in Delhi for displaced persons from East Bengal serving in Government offices here.

Shri Karmarkar: I think all these questions are being looked after.

Shri B. K. Gaikwad: Removal of untouchability is the policy of the Government and the Government is expecting to have common colonies where Scheduled Castes people will be provided with plots for. If so, may I know whether Government will insert any condition to the effect that 20 per cent of the plots with each co-operative housing society shall be reserved for Scheduled Castes people, before such housing societies are registered.

Shri Karmarkar: That relates to 20 per cent of plots sold to individuals or of land in general?

Shri B. K. Gaikwad: Government should insert a condition that 20 per cent of the plots of each co-operative housing society shall be reserved for Scheduled Castes people in order to have common colonies according to Government policy.

Shri Karmarkar: All I can do is to convey this suggestion of the hon. Member to the authorities concerned. Beyond that I am not in a position to say anything.

SHORT NOTICE QUESTION

Vacation of Longju

S.N.Q. No. 3 Shri Hem Barua: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact, as reported in the press, that the Chinese have recently vacated Longju, the Indian outpost in NEFA which they occupied in August, 1959 after a violent push through; and

(b) if so, the actual position of Longju at present?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Reports have reached us that the Chinese have abandoned the post they held at Longju and have withdrawn about three miles to the north. It is further reported that this withdrawal was necessitated by an outbreak of an epidemic in the area. The withdrawal may therefore, be considered one of convenience.

Shri Hem Barua: In view of the fact that Longju was forcibly occupied by Chinese troops in contravention of international laws and ethics, may I know whether our Government proposes to re-occupy that position after the Chinese troops have vacated Longju in NEFA?

Shri Jawaharlal Nehru: In regard to Longju hon. Members might remember, because it occurs in the White Papers, that we had suggested that as we were discussing these matters neither side should occupy it and there the matter rested. It is true that the Chinese Government did not accept this proposal and they continued to occupy it and took that stand. But considering that they have vacated it because of an epidemic, it is not a very attractive proposition to us to march into the epidemic.

Shri Hem Barua: The Chinese who conquered Mount Everest at the first onslaught. To believe that they were overpowered by a mere epidemic is something very strange. In view of that would Government try to ascertain from Peking whether this is friendly gesture on the part of China?

Shri Jawaharlal Nehru: First of all, the distance is so little—so far as our information goes it is about three miles—that it is rather difficult where Longju ends and where the next village begins. For us to ask them the question that the hon. Member suggested seems to be hardly desirable in this form. I might, with your permission, say something. Some hon. Member had sent a short notice question about Indo-Chinese, or rather the India-China official level talks in Rangoon. I gather that they have concluded and that in the course of two, three or four days—I am not quite sure—our delegation will be coming back with whatever reports they may have signed.

Shri Hem Barua: May I know whether Government are aware of the actual date or the approximate date on which Longju was vacated by the Chinese troops and the date when the Government got this information? Is there a timelage between the two, that is, the date of vacation by the Chinese and the date on which the Government got the information about that?

Shri Jawaharlal Nehru: There is a considerable timelag. I cannot say how. In fact, even now I cannot speak with any certainty because we have naturally had to rely on odd people who normally come across the frontier. We do not send our people there. We do not send our aircraft to fly over there because of this broad agreement that we will not cross each other's territory. As hon. Members would remember, Longju is just inside the border. According to us too the border was just beyond Longju. It is a question of two or three miles and if you fly over it, it is inevitable that you cannot fly a mile here and a mile there but you fly over a much broader stretch of territory. The point is therefore that neither by flight have we tried to ascertain this nor in any other way ensured this with certainty. As reports have come to us through various other means, we cannot give dates etc. about this matter.

Shri Vidya Charan Shukla: May I know if the Government are taking any steps to prevent the re-occupation of our outpost that has been vacated just now by the Chinese on the pretext of an epidemic outbreak?

Shri Jawaharlal Nehru: No, Sir. It is rather difficult for me to explain the geography of the place. But if we merely tried to occupy Longju first of all it will be taking a step which under the present understanding we are not supposed to take just as the Chinese are not supposed to take any such step. Secondly, it would involve it seems—I talk in terms of two or three miles—a fairly major undertaking.

Shri Mohammed Imam: It is said that an epidemic in a severe form is prevailing there. Has our Government taken any steps to afford medical facilities to the people living in that area?

Shri Jawaharlal Nehru: Living at Longju? No. Sir.

Shri Mohammed Imam: Is that no-man's land?

Mr. Speaker: He wants to know whether Longju has been abandoned both by the Chinese and by our Government.

Shri Jawaharlal Nehru: Longju, if I may repeat, is according to us exactly near the border. It is on our side of the border. The line goes there. This was occupied forcibly by the Chinese as the House knows. Our post is a few miles on this side. The Chinese were in occupation. The Chinese have departed from there. In fact, our information is that in order to build three miles away their barracks or whatever they are, they have destroyed the hutments at Longju and taken the bricks and other materials to build the other place. Longju is practically a place without any residential area.

Shri Vidya Charan Shukla: According to our proposal which the Chinese did not accept, we said that Longju should not be occupied by either our forces or theirs. I want to know what steps we have taken to see that they do not again intrude into our territory 3 miles.

Mr. Speaker: He has already answered that.

Shri Tyagi: Has the Government been able to ascertain as to what type of epidemic it is, whether it is a natural epidemic or they have created artificially by gas, etc. some epidemic to prevent our reaching there?

Shri Jawaharlal Nehru: No. I do not know.

Shri Tyagi: What is the epidemic? Is it cholera? What is the disease?

Shri Jawaharlal Nehru: I have not received a doctor's report. These are travellers' tales which when confirmed by repeated travellers, one accepts more or less.

Shri Tyagi: What is the epidemic?

Shri Jawaharlal Nehru: I cannot say.

WRITTEN ANSWERS TO QUESTIONS

Passenger Vessels

***808. Shri P. G. Deb:** Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 1200 on the 9th September, 1960 and state:

(a) whether the proposal to acquire two passenger vessels has since been considered; and

(b) if so, the decision taken in the matter?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir. The proposal is to be considered in the Third Five Year Plan.

(b) Does not arise.

Charges Against Divisional Superintendent, Jaipur

***812. Shri T. B. Vittal Rao:** Will the Minister of **Railways** be pleased to refer to the reply given to unstarred Question No. 1616 on the 26th August, 1960 and state:

(a) whether the examination of the report of the Special Police Establishment against the Divisional Superintendent, Jaipur, Western Railway, has since been concluded;

(b) if so, the nature of the decision arrived at; and

(c) if the reply to para (a) above be in the negative, the reasons therefor?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) Examination of the report revealed that no serious irregularity was committed by the Divisional Superintendent; Jaipur.

(c) does not arise.

T.B. Patients

***816. Shri Rami Reddy:** Will the Minister of **Health** be pleased to refer to the reply given to Unstarred Question No. 1314 on the 23rd August, 1960 and state:

(a) the bed strength for T.B. patients proposed to be increased during the Second Five Year Plan period;

(b) the strength that is likely to be achieved; and

(c) the reasons for the shortfall, if any?

The Minister of Health (Shri Karmarkar): (a) 8940 beds.

(b) 8711 beds.

(c) The shortfall is mainly due to non-completion of buildings in time.

Shortage of Foreign Air Letter Forms in Calcutta

***820. Shri Sadhan Gupta:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether 50 np. foreign air letter forms have become scarce in Calcutta Post Offices since October, 1960;

(b) if so, whether the scarcity is due to the stoppage of supplies from the security press at Nasik; and

(c) if so, the reason for stoppage of supplies?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) No Sir. There was only a temporary shortage between the 14th and 26th of October, 1960.

(b) and (c). The shortage was due to the exhaustion of reserve stocks held in the Calcutta Treasury and the delay in complying with the indents due to the Puja holidays intervening and the six monthly stock verification in the Central Stamp, Nasik Road.

Suitable steps are being taken to prevent a recurrence of such shortages.

Nagarjunasagar Project

***821. Kumari M. Vedakumari:**
Shri Osman Ali Khan:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether it is a fact that construction work at Nagarjunasagar project is delayed due to shortage of steel; and

(b) what are the steps taken so far to see that adequate quantity of steel is supplied in time?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The progress is generally according to the programme. Steel for the Trestle Bridge has, however, to be procured urgently and attempts are being made to secure the same.

Hassan-Mangalore Line

***822. Shri Achar:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that in the previous estimates the possibilities of exporting iron ore, had been totally omitted by the Railway Board while submitting its reports regarding the construction of Hassan-Mangalore line;

(b) whether the Railway Board was recently asked by Government to submit its reports properly estimating the scope of exporting iron ore through this line;

(c) whether the Board has submitted its report; and

(d) if so, the decision of Government about constructing this new line?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No Sir.

(b) and (c). Do not arise.

(d) The construction of this line depends on the development of Mangalore Port for the export of iron ore.

Bombay Port

***823. Shri Assar: Will the Minister of Transport and Communications** be pleased to state:

(a) whether it is a fact that there is a serious problem in Bombay Port for incoming foreign vessels on account of failure on the part of the Port Trust authorities to place adequately visible fairway buoys at the entrance of the Bombay Harbour;

(b) whether it is a fact that the Captains of some of the big vessels have warned the Harbour Master about the danger of ships running aground the treacherous prongs reef if immediate remedial steps are not taken; and

(c) if so, what steps have been taken by Government to remove this danger?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): A statement is laid on the Table of the Sabha.

STATEMENT

(a) No, Sir. All the buoys at the entrance to the Bombay Harbour are working efficiently except one buoy at Prongs Reef. The permanent buoy at Prongs Reef has been temporarily replaced by a small can buoy pending repairs. The can buoy serves its main purpose as a help to mariners at night by its flashes. By day, it is not as conspicuous as the permanent buoy though it conforms to international standards. There is a Light House at Prongs Reef and the light-keeper also warns vessels which by mistake steer towards the Reef, by means of rockets and signals. Moreover, in actual practice, Masters of ships do not place undue reliance on buoys but fix their positions with reference to well-defined and clearly recognisable land marks on shore. Every Master is of course expected to navigate cautiously when entering a Port.

(b) No.

(c) The Port Trust are taking steps to restore the permanent buoy at Prongs Reef.

Food Adulteration in the Country

***824.** {
Shri Tangamani:
Shri M. B. Thakore:
Dr. Ram Subhag Singh:
Pandit D. N. Tiwari:
Shri Hem Raj:

Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that the All India average of food adulteration percentage is as high as 29·1 per cent.;

(b) if so, what steps are taken to vigorously implement the All India Act;

(c) what are the States where the percentage is as high as 66·7 per cent.; and

(d) the States where percentage is over 50 per cent?

The Minister of Health (Shri Karmarkar): (a), (c). and (d). A statement giving the requisite information is laid on the Table of the Sabha. [*See* Appendix III, annexure No. 21.]

(c) The implementation of the Prevention of Food Adulteration Act and Rules thereunder is the responsibility of the State Governments. They have, however, been advised from time to time to implement the Act and Rules vigorously.

Supply of Fertilizers to Orissa

***825. Shri Chintamoni Panigrahi:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether reports have been received from the Government of Orissa that the entire peasantry in the State of Orissa is facing a serious set back due to non-availability of sulphate of ammonia;

(b) whether it is a fact that the demand of the State for sulphate of ammonia for 1960-61 was 60,000 tons;

(c) whether it is also a fact that only 6,000 tons of this fertiliser have been supplied to the State so far; and

(d) if so, what steps are being taken to help the State Government in overcoming this acute situation?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (d). A statement is laid on the Table of the Sabha.

STATEMENT

(a) Orissa Government have brought to our notice that the State was facing acute shortage of fertilisers and asked us to arrange supply quickly.

(b) No. The demand for Sulphate of Ammonia was 39,000 tons only. However, the State Government also made a demand for other nitrogenous fertilisers as below:

(i) Ammonium Sulphate Nitrate—1000 tons.

(ii) Calcium Ammonium Nitrate—10,000 tons.

(c) No. 14,950 tons of Sulphate of Ammonia were allotted for the first nine months (April to December 1960) and out of this 11,350 tons have been supplied so far.

(d) A high priority has been given for the supply to Orissa from Sindri. It is expected that the supply of the entire balance quantity would be completed by the 15th December, 1960. In addition to Ammonium Sulphate 1,135 tons of Ammonium Sulphate Nitrate have also already been supplied. Arrangements have also been made to supply 2,000 tons of Calcium Ammonium Nitrate from Calcutta Port.

डाक तथा तार विभाग में कल्याण पदाधिकारी

*८२६. { **श्री भक्त दर्शन :**
श्री रामकृष्ण गुप्त :

क्या परिवहन तथा संचार मंत्री १० अगस्त, १९६० के अतारांकित प्रश्न-संख्या ५२१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि डाक तथा तार विभाग में कल्याण पदाधिकारियों का पद रखने अथवा समाप्त करने के सम्बन्ध में क्या निर्णय किया गया है ?

परिवहन तथा संचार मन्त्रालय में राज्य मंत्री (श्री राज बहादुर) : इस मामले की अभी जांच की जा रही है ।

Foreign Exchange for Shipping Industry

*827. { **Shri Ram Krishan Gupta:**
Shri Sarju Pandey:

Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 799 on the 26th August, 1960 and state at what stage is the proposal to place requisite foreign exchange quota for the import needs of shipping industry at the disposal of Director General of Shipping?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The majority of the Shipping, Ship building and Ship-repairing firms who were addressed in the matter have not yet furnished their requirements of foreign exchange. The matter will be processed further on receipt of their replies.

Corruption on Railways

*828. **Shri Rami Reddy:**
Shri Arjun Singh Bhadauria:
Shri P. G. Deb:

Will the Minister of **Railways** be pleased to state:

(a) whether the attention of Government has been drawn to the observation of the Chief Minister of Punjab in his speech at Ambala on the 23rd October, 1960 that on account of corruption in the Railways, the Sugar Industry has been very adversely affected;

(b) if so, what are the reactions of Government; and

(c) what is the action taken in the matter?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The Government's attention was drawn to the report, which appeared in the Press in this connection, but on enquiry it transpired that the report that appeared in the Press was entirely misleading and false.

(c) Does not arise.

Delhi-London Bus Service

*829. **Shri Ram Krishan Gupta:**
Shri Bhakt Darshan:
Shri D. C. Sharma:
Shri Ajit Singh Sarhadi:

Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 539, on the 19th August, 1960 and state at what stage is the proposal for introduction of bus service between Delhi and London via Lahore?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The matter is still under consideration.

National Highway No. 5

1559. **Shri Chintamoni Panigrahi:** Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Unstarred Question No. 2052 on the 5th September, 1960 and state:

(a) whether the modified estimates in connection with the construction of National Highway No. 5 from Taladanga to Nirgundi level crossing have since been examined; and

(b) if so, what is the modified estimate?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes, Sir.

(b) The modified estimate amounting to Rs. 9,34,000 has been sanctioned.

Air Accidents

1560. **Shri D. C. Sharma:** Will the Minister of **Transport and Communications** be pleased to state:

(a) the details of air accidents which have taken place since 1st April, 1960 in which aircrafts of the Air India International and the Indian Airlines Corporation were involved;

(b) the reasons for each accident; and

(c) the extent of loss sustained in each accident?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) to (c). Since 1st April, 1960, there has been one major accident involving an Indian Airlines Corporation Dakota aircraft. A statement giving the details of the accident is placed on the table of the Sabha. None of the aircraft belonging to Air India International was involved in any major accident during the same period.

STATEMENT

Indian Airlines Corporation Dakota aircraft VT-DFM swung off the runway while landing at Agartala at 0528 hrs. IST on the 12th September, 1960. The aircraft was operating a scheduled freighter service from Calcutta to Agartala and was piloted by Captain G. Thomas with Co-pilot Shri I. C. Vasistha and Radio Officer Shri

O. Logan. The aircraft sustained substantial damage to its starboard undercarriage, starboard wing, centre section, starboard propeller, tail wheel and its attachment structure on the fuselage, starboard tailplane. Nobody was injured.

The estimated cost of repairs to the damaged aircraft is Rs. 63,350.

The accident is under investigation.

Stocks of Foodgrains in Maharashtra

1561. Shri Pangarkar: Will the Minister of **Food and Agriculture** be pleased to state the amount advanced to the Maharashtra Government during the year 1960-61 so far for maintaining the reserve stocks of food and their distribution?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas) No money has been advanced to the Maharashtra Government for maintaining the reserve stocks of food and their distribution.

Perunguzhi Halt in Quilon-Trivandrum Line

1562. Shri M. K. Kumaran: Will the Minister of **Railways** be pleased to state:

(a) when the Perunguzhi Halt in the Quilon-Trivandrum sector of the Southern Railway started working;

(b) whether it is a fact that Perunguzhi Halt is more remunerative to the Railway than the neighbouring flag stations; and

(c) whether there is any proposal to convert this Halt into a flag station?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) The Perunguzhi Train Halt was opened on 15th April, 1950.

(b) No.

(c) Yes, in its turn along with 16 halts proposed to be included by the Southern Railway in their programme for conversion of Halts into flag Stations.

Post Office Building

1563. Shrimati Mafida Ahmed: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether land has since been obtained at Jorhat in Assam for construction of a new Post Office Building;

(b) if so, the progress made so far in the matter; and

(c) if not, the facts thereof?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) No.

(b) Does not arise.

(c) Jorhat Head Post Office is at present housed in a Departmental building. The question of extension to the existing Departmental building to provide additional accommodation which has been necessitated due to increase in staff is already under consideration of the Department.

Robberies in Trains

1564. Shri D. C. Sharma: Will the Minister of **Railways** be pleased to state:

(a) the number of robberies committed in running passenger trains between Delhi and Amritsar on the Northern Railway during 1960 so far;

(b) the estimated loss sustained thereby;

(c) the results of the investigations held into these incidents; and

(d) the measures taken for security of Railway passengers in future?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No case of robbery has been committed so far.

(b) and (c). Do not arise.

(d) The following measures already exist as a safeguard against such incidents:—

(i) Patrolling has been intensified;

(ii) Escorts are detailed with all important night trains;

(iii) Reservation of accommodation for the G.R.P. escorts is arranged in the centre of the train, as far as possible next to leadies' compartments;

(iv) Surprise checks of patrols and trains are carried out by special night squads and senior officers at night;

(v) Police pickets are arranged at important check points and large scale raids are carried out;

(vi) The G.R.P. platform staff are instructed to ensure that safety catches are applied by lady passengers occupying ladies' compartments before the departure of a train;

(vii) Passengers are dissuaded from occupying solitary compartments after dusk and are requested to occupy compartments with some passengers already there as very often criminals have selected solitary compartments for Commission of crime;

(viii) T.T.Es. and Conductor Guards have instructions that before a train leaves the starting station they should check all first and second class compartments in respect of safety fittings and also to ensure that no intruder is hiding underneath the berths or in the lavatory.

Milk Powder Factory at Vijayawada

1565. Shri Rami Reddy: Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Starred Question No. 1303 on the 6th April, 1960 and state the progress so far made in the setting up of the Milk Powder Factory at Vijayawada?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): The allocation of 1.6 million Dollars made by UNICEF for the Hyderabtd/Vijayawada Project has been accepted. This includes assistance of 1.075 million Dollars for the Vijayawada dairy factory. Work on the establishment of the factory has been started. A senior officer of the State Government has been placed in charge of the scheme. A site for the factory has been acquired and developmental work is in hand. Negotiations for laying a railway siding alongside the factory have been finalised. Building plans are under preparation. Locations for rural chilling stations have been selected. A detailed survey of the villages has been taken up for working out the milk procurement programme.

Willingdon Hospital

1566. Shri D. C. Sharma: Will the Minister of **Health** be pleased to refer to the reply given to Unstarred Question No. 2548 on the 26th April, 1960 and state the nature of further progress made so far in the expansion of the Willingdon Hospital, New Delhi?

The Minister of Health (Shri Karmarkar): In addition to sanction for the construction of the Ward Block in the Lawrence Square and the Out Patient Department on the Irwin Road, the expansion of the existing kitchen and the construction of a paying ward, sanction has been issued for additions and alterations in the Paying Beds Ward. It is proposed to take up the construction of Out Patient Department on the Irwin Road in the first instance. The construction will begin soon after the vacation and demolition of Government quarters. The C. P. W.D. is preparing the survey report in this connection.

Cultivable waste land in Delhi.

1567. Shri D. C. Sharma: Will the Minister of **Food and Agriculture** be pleased to state the total acreage of cultivable waste land available at present in Delhi State?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): 36,424 acres.

Irrigation and Power Development in Punjab

1568. Shri D. C. Sharma: Will the Minister of **Irrigation and Power** be pleased to state:

(a) whethe the progamme regarding irrigation and power development in Punjab during 1960-61 has been finalised;

(b) if so, what are the details thereof; and

(c) the amount sanctioned under diffeent heads?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The reply is in affirmative.

(b) and (c). A sum of Rs. 1575·02 lakhs has been finally agreed as the ceiling for the Irrigation and Power Sector of Punjab for the year 1960-61 as detailed below:—

	Rs in lakhs
(*i*) Bhakra	1045·29
(*ii*) Major & Medium Irrigation	236·58
(*iii*) Anti-waterlogging etc.	41·15
(*iv*) Power .	252·00
TOTAL : .	1575·00

Development of Ayurveda in India

1569. Shri D. C. Sharma: Will the Minister of **Health** be pleased to state:

(a) what amount has been sanctioned by the Central Government for the development of Ayurveda in India for the year 1959-60;

(b) for what items the grant is sanctioned; and

(c) how much amount has been sanctioned for each item?

The Minister of Health (Shri Karmarkar): (a) Rs. 14,51,100|- (excluding grants given to State Government institutions which are adjusted through ways and means advances.)

(b) and (c).

	Rs.
1. Central Research Institute, Jamnagar . .	3,50,000
2. Post Graduate Training Centre, Jamnagar . .	8,16,300
3. Clinical Research Schemes	2,44,300
4. *Ad-hoc* Grants .	35,000
5. Printing of an Ayurdvedic Dictionary . . .	5,500
TOTAL . .	14,51,100

Railway Quarters

1570. Shri D. C. Sharma: Will the Minister of **Railways** be pleased to state:

(a) the number of quarters constructed for Railway employees at Pathankot during 1959-60;

(b) the number of quarters allotted; and

(c) the number of employees on the waiting list as on the Ist April, 1960;

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Nil.

(b) Does not arise.

(*c*) (*i*) Class III staff :	
Essential . .	59
Non-Essential .	165
(*ii*) Class IV staff :	
Essential . .	171
Non-Essential .	202

Apprentices in Chitranjan Locomotive Works

1571. Shri Indrajit Gupta: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a number of apprentices who have completed their courses at the Chittaranjan Locomotive Works have not been given their certificates; and

(b) if so, the reasons for the same?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). In accordance with the terms of the agreement executed by Apprentices of the Chittaranjan Locomotive Works, certificates regarding successful completion of apprenticeship are given on completion of training to those apprentices who cannot be absorbed in working posts and on completion of 5 years' service in a working post to those who are so absorbed.

Supply of Foodgrains to Flood affected areas

1572. **Shri S. M. Banerjee:**
Shri Supakar:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) total quantity of food grains supplied to flood affected States during this year;

(b) the quantity supplied to each State; and

(c) the quantity demanded by each State?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) to (c). The Government of Orissa alone asked for a special quota of 2,000 tons of wheat for distribution in the flood affected areas of that State. This was allotted from Central Stocks over and above their normal monthly quota of 2,600 tons.

उत्तर प्रदेश में सीमांत जिलों में टेलीफोन सुविधायें

१५७३. **श्री भक्त दर्शन :** क्या परिवहन तथा संचार मंत्री २३ अगस्त, १९६० के तारांकित प्रश्न संख्या ६८१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) से जब उत्तर प्रदेश के तिब्बत सीमावर्ती क्षेत्र में उत्तरकाशी, चमौली व ौरागढ़ के नये ज़िलों का निर्माण हुआ है, तब से उन ज़िलों के किन-किन स्थानों पर नये डाकघर, तारघर, टेलीफोन एक्सचेंज, सार्वजनिक टेलीफोन-घर, बेतार के तार के केन्द्र खोले जा चुके हैं ;

(ख) अन्य किन किन स्थानों पर उपरोक्त सुविधायें देने का प्रश्न विचाराधीन है ; और

(ग) इन ज़िलों के डाक तथा तार की सुविधाओं को बढ़ाने के लिये कौन से विशेष कदम उठाये गये हैं या अब भी उठाये जा रहे हैं ?

परिवहन तथा संचार मंत्रालय में राज्य मंत्री (श्री राज बहादुर) : (क) से (ग). लोक-सभा के पटल पर एक विवरण पत्र रखा जाता है । [देखिए परिशिष्ट ३, अनुबन्ध संख्या २२]

Compensation to Victims of Railway Accidents

1574. **Shri Ram Krishan Gupta:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 655 on the 23rd August, 1960 and state;

(a) whether the new cmpensation scheme for payment to victims of railway accidents has since been finalised; and

(b) if so, whether a copy of the same would be laid on the Table?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Not yet, Sir.

(b) Does not arise.

Renigunta-Tirupati Link

1575. **Shri Ram Krishan Gupta:** Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 737 on the 16th August, 1960 and state at what stage is the proposal to convert the Renigunta-Tirupati metregauge railway line into broad-gauge?

The Deputy Minister of Railways Shri S. V. Ramaswamy): The reappraisal report from the Southern Railway has been received and is under the examination of the Railway Board.

Gandak Project

1576 **Shri Rajendra Singh:**
Shri Jhulan Sinha:

Will the Minister of **Irrigation and Power** be pleased to state the schedule of the programme envisaged for Gandak Project for the years 1961-62 and 1962-63?

The Deputy Minister of Irrigation and Power (Shri Hathi): The firm construction schedule has not as yet been finalised. During the year 1961-62 it is proposed to take up preliminary works, *e.g.* construction of buildings, roads, etc. at Bhaisalotan and other places and construction of the Done Branch Canal along with the work of construction of barrage.

During the year 1962-63, while construction of the remaining portion of the Done Branch Canal and the barrage will continue, the construction of the Main Eastern Canal might also be taken up.

Creamery in Bihar

1577. **Shri R. C. Majhi:**
Shri Subodh Hansda:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the progress made so far for the setting up of a Creamery at Sognaha near Barauni in Bihar; and

(b) whether there is any proposal for setting up such creameries in other parts of India?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) The building of the Creamery Factory at Sograha near Barauni (Bihar) is under construction and is expected to be completed by May 1961. The major portion of the equipment has arrived at the site. The remaining equipment is expected to be received shortly, and the erection of the plant will start thereafter.

(b) Yes, two more are being established, one in Gujarat State at Junagadh and the other in U.P. at Aligarh during the Second Five Year Plan period.

Eleven Creameries are proposed to be established during the Third Five Year Plan period.

T.B. Survey

1578. **Shri S. C. Samanta:**
Shri Subodh Hansda:

Will the Minister of **Health** be pleased to state:

(a) whether National Tuberculosis Survey will be extended beyond Madanapalle and Delhi Zones;

(b) if so, when and where;

(c) how far the private T. B. Clinics in villages have been helped so far after knowing the result of the survey; and

(d) how many private T.B. Clinics have asked for help so far?

The Minister of Health (Shri Karmarkar): (a) and (b). The National Tuberculosis Survey which was started in 1955 was completed in 1958 and was conducted in six Zones namely, Calcutta, Delhi, Hyderabad, Madanapalle, Patna and Trivandrum. There is at present, no proposal to conduct another National T.B. Survey.

(c) Information is not available.

(d) In 1959-60, 15 T.B. Clinics asked for financial assistance under the scheme of Grant to Voluntary T.B., Leprosy and other Institutions.

Accident near Banaras

1579. **Shri Subiman Ghose:**
Shri Hem Barua:
Shri S. A. Mehdi:
Shri P. G. Deb:

Will the Minister of **Railways** be pleased to state:

(a) whether the Mugalsarai-Lucknow-Kanpur Passenger train met with an accident near Banaras on the 2nd October, 1960;

(b) if so, the cause of the accident;

(c) the number of the injured and the extent of loss suffered by the Railway;

(d) whether any employees have been punished for it; and

(e) if so, the category to which the employees belong?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes.

(b) According to the provisional findings of the Government Inspector of Railways, the cause of the accident is the failure of the Railway staff.

(c) *Injured.*

Grievous	1
Minor	9
	10

Approximate cost of damage to the Railway property has been assessed at Rupees Eleven Thousand.

(d) and (e). The matter is under examination of the railway administration.

Water Power Potential

1580. Shri Rami Reddy: Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Unstarred Question No. 1811 on the 31st August, 1960 and state:

(a) whether the proposal to carry out a detailed survey of the schemes referred to therein has been considered and a decision taken thereon; and

(b) what are the 64 schemes referred to therein?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The State Governments have been requested to establish organisations for the proposed investigations and to furnish detailed programme of the work to the Centre.

(b) It is likely that 65 schemes, instead of 64, might be investigated during the Third Five Year Plan period. A statement indicating their names is laid on the Table. [*See* Appendix III, annexue No. 23].

Bhagalpur Railway Station

1581. Shri P. K. Deo: Will the Minister of **Railways** be pleased to state the amount spent in the construction of Bhagalpur Railway Station?

The Deputy Minister of Railways (Shri Shahnawaz Khan): Rs. 11 lakhs approximately.

Quick Transit Service

1582. Shri Ajit Singh Sarhadi: Will the Minister of **Railways** be pleased to state in how many Railways the Quick Transit Service has been introduced?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Quick Transit Service has been introduced on all the Indian Railways.

Co-operative Societies on Northern Railway

1583. Shri Ajit Singh Sarhadi: Will the Minister of **Railway** be pleased to state:

(a) the number of Co-operative Societies functioning on the Northern Railway amongst the staff;

(b) the number of personnel as their members with their categories and functions; and

(c) whether they have been successful on the whole?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) At present 5 Co-operative Credit Societies and 23 Co-operative Consumer Societies are functioning on the Northern Railway.

(b) As on 31-3-1960, the 5 Co-operative Credit Societies had 45,731 members while the 23 Co-operative Consumer Societies had 4029 members. The membership of these Societies is open to all the railway staff serving within the respective area of operation of each Society. A detailed break-up of the membership according to categories or their functions is not available.

(c) Yes.

Arecanut Production

1584. Shri Kodiyan: Will the Minister of **Food and Agriculture** be pleased to state:

(a) what steps have been taken by Government to raise the production of arecanut during the Second Five Year Plan period so far;

(b) whether as a result of these steps there has been any increase in the production;

(c) if so, to what extent; and

(d) expenditure incurred by the Centre in this connection during the Second Five Year Plan period so far?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) (i) Regional Arecanut Research Stations with attached nurseries have been established in the States of Kerala, Mysore, Assam, West Bengal and Orissa.

(ii) Schemes for increasing the production of arecanut by establishment of nurseries have been launched in the arecanut growing States by the State Governments concerned with financial assistance from the Central Government.

(iii) Nurseries at village centres have been set up in the arecanut growing States.

(iv) Propaganda to educate arecanut cultivators in better methods of cultivation and prevention of plant diseases has been carried out.

(v) Loans for fertilisers and irrigation facilities have been sanctioned.

(b) and (c). The preliminary estimates indicate increase but an assessment of the results is being made. After this is completed, I shall lay a statement on the Table of the House.

(d) Rs. 30,32,035 according to the figures so far available.

Railway Fare Between Ambala and Chandigarh

1585. Shri Ajit Singh Sarhadi: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that booking fare between Ambala and Chandigarh is not charged at par with those prevalent in the plains;

(b) if so, the reasons therefor; and

(c) whether there is any proposal to bring it at par with the plains?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes Sir. The passenger fares over Ambala-Chandigarh-Kalka Section are charged on 1½ times the actual distance.

(b) Higher capital, operating and maintenance costs over hill sections.

(c) No Sir.

Assam Rail Link

1586. Shrimati Mafida Ahmed: Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 354 on the 23rd February, 1960 and state:

(a) the progress made so far in the stabilisation of Assam Railway Link; and

(b) when is likely to be completed?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) All the works involving 51 bridges for the strengthening of the Assam Rail Link

Route have been completed except for the erection of girders for 5 bridges over Mahananda, Neora, Ghatia, Dimdima and Putimari rivers and the realignment at Mal.

(b) All the remaining works are expected to be completed by May, 1961.

T. B. Hospital for D.V.C. Employees

1587. Shri Subiman Ghose: Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether there is a proposal for starting a T.B. Hospital for Damodar Valley Corporation employees;

(b) if so, the place where it will be started and how many beds it will contain and the cost for its starting and the recurring cost to be incurred; and

(c) how many employees of Damodar Valley Corporation are suffering from T.B.?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a). The answer is in the affirmative.

(b) The hospital is proposed to be located at Konar in the District of Hazaribagh and will consist of 20 beds (14 for male and 6 for female patients) at an estimated initial cost of Rs. 4,33,000 and involving an annual recurring expenditure of Rs. 68,000.

(c) About 100 persons including the dependents of DVC employees.

Family Planning

1588. Shri Warior: Will the Minister **of Health** be pleased to state:

(a) whether the statement made by the Minister of Health of Kerala State on the 8th October, 1960 that Government servants who have conscientious objections in co-operating with family planning operations may not participate in duties connected with such family planning schemes has come to the notice of Government; and

(b) if so, the reaction of the Government of India thereto?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir. The Government of Kerala identify themselves completely with the views of the Government of India in regard to the family planning programme and they will make arrangements for the family planning work being carried out by another employee if a particular Government servant has conscientious objections in co-operating with the programme.

(b). The Government of India will watch the progress.

दिल्ली के कमला नगर में भूमि तल में पानी

१५८९. श्री प्रकाश वीर शास्त्री : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कमला नगर या उसके आसपास के क्षेत्रों में भूमि तल में पानी का स्तर काफी ऊंचा हो गया है ;

क्या यह सच है कि गत अक्तूबर में दिल्ली विश्वविद्यालय के पुस्तकालय के तीसरे तहखाने में पानी तेजी से निकल आया था और इसका स्तर ६ से ८ इंच तक हो गया था ; और

(ग) यदि हां, तो इसे रोकने के लिये क्या उपाय किये जा रहे हैं ?

स्वास्थ्य मंत्री (श्री करमरकर) : (क) दिल्ली नगर निगम ने बताया है कि निश्चित रूप से यह कहना कि पानी का स्तर ऊंचा हो गया है सम्भव नहीं है किन्तु निरीक्षणों से पता चलता है कि इस क्षेत्र की कुछ इमारतों के तहखानों में पानी निकल आया है । यह निश्चित रूप से नहीं कहा जा सकता कि भूमि तल में पानी का स्तर ऊंचा होने से ऐसा हुआ है । इन क्षेत्रों के भूमि-तल में पानी के स्तर के बारे में नगर निगम में कोई रिकार्ड उपलब्ध नहीं है ।

(ख) दिल्ली नगर निगम के पास ऐसी कोई सूचना नहीं है ।

(ग) इस विषय में नगर निगम जांच-पड़ताल कर रहा है ।

इस्पात का माल उठाना

१५९०. श्री प्रकाश वीर शास्त्री : क्या रेलवे मंत्री १८ मार्च, १९६० के अतारांकित प्रश्न संख्याा १२४६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि बम्बई तिन पर इस्पात का माल उठाने के ठेके क्लीयरिंग एजेंट मेसर्स दादाभाई हरमसजी एंड कम्पनी को टेंडर आमन्त्रित किये बिना क्यों दिये गये थे ?

रेलवे उपमंत्री (श्री सें० वें० रामस्वामी): स्थिति इस प्रकार है कि जब ३१-३-६० को क्लीयरिंग एजेण्ट, मेसर्स दादाभाई हरमसजी एंड कम्पनी के साथ मध्य रेलवे का ठेका समाप्त हुआ, तो उसके लिये टेण्डर मंगाये गये और १-४-६० से जिस दूसरे ठेकेदार को नया ठेका दिया गया, उसके टेण्डर की दर सबसे कम थी ।

Price of Sugar

1591. **Shri Ram Krishan Gupta:**
Shri P. G. Deb:
Shri Arjun Singh Bhadauria:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether there is any proposal to increase the price of sugar; and

(b) if so, to what extent and the reasons therefor?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): It is not in the public interest to disclose Government's intentions in such matters.

Small Power Projects in Punjab

1592. Shri Ajit Singh Sarhadi: Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the Punjab Government have approached the Government of India for building smaller power projects to meet power shortage in Punjab;

(b) if so, the form of aid being sought; and

(c) the action taken thereon?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The reply is in affirmative.

(b) Financial assistance has been sought for the installation of six sets (five 50 KW and one 25 KW) in the Lahaul Valley.

(c) The matter in under consideration.

Projects on Krishna and Godavari

1593. **Shri Rami Reddy:**
Shri Agadi:
Shri Sugandhi:
Shri Achar:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the Governments of Mysore and Maharashtra have requested the Centre to put a stop to the execution of Nagarjunasagar Project and the sanctioning of Srisailam and Pochampad Projects in Andhra Pradesh;

(b) what are the reasons advanced by the two Governments in support of their request; and

(c) what are the reactions of the Centre?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The Governments of Maharashtra and Mysore have requested the Government of India not to entertain any fresh commitment with regard to Nagarjunasagar Project and also any other new project on the Krishna and Godavari Basin pending the settlement of the controversy regarding the utilisation of waters of these two rivers.

(b) The main objection of the State Governments has been that the existing allocation of Krishna and Godavari Waters to the various States is not equitable.

(c) The matter is under consideration.

P.&T. Employees

1594. **Shri Narayanankutty Menon:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether any employees of the P.& T. Department in the Kerala State have been dismissed upon conviction by courts of law in connection with the recent strike;

(b) if so, whether any of them have been acquitted by appellate courts subsequently;

(c) whether those who have been acquitted were taken back into service;

(d) if so, how many;

(e) how many of those acquitted are not taken back; and

(f) if so, what are the reasons for the same?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) Yes, Sir.

(b) Yes.

(c) Yes.

(d) 20 empoylees.

(e) 1 employee, who has been placed under suspension.

(f) Disciplinary proceedings initiated against this employee are yet to be completed.

Sharing of Waters in Southern Zone

1595. **Shri Tangamani:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether any formula has been arrived at for sharing of waters in the four States in Southern zone;

(b) if so, the nature of the formula; and

(c) whether steps will be taken for sharing of the surplus waters from Krishna and Godavari by Madras State?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No.

(b) Does not arise.

(c) The question of sharing of surplus waters of Krishna and Godavari by Madras can be considered only after a settlement has been reached on the distribution of these waters among the various States concerned.

Madras Port

1596. **Shri D. C. Sharma:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether any foreign exchange has been asked for for equipment for Madras Port during the last year of the Second Five Year Plan;

(b) whether foreign exchange asked for was sanctioned; and

(c) if so, what is the eqiupment to be purchased?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes.

(c) Against a total estimated requirement of Rs. 67.33 lakhs during the last year of the Second Five Year Plan period, a sum of Rs. 51.33 lakhs has so far been sanctioned. The balance of Rs. 16 lakhs will be sanctioned as soon as the Madras Port Trust applies for sanction to their release.

(c) A list is laid on the Table [*See* Appendix III, annexure No. 24].

Brahmaputra Bridge

1597. **Shrimati Mafida Ahmed:** Will the Minister of **Railways** be pleased to state:

(a) the progress made so far in the construction of the Brahmaputra Bridge;

(b) the amount spent upto 31st October, 1960; and

(c) the amount of foreign exchange involved?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Eight main piers and two shore piers have been completed. Work on remaining three main piers, approaches on either bank, construction of marshalling yard, loco shed and staff quarters is in progress.

(b) Rs. 438 lakhs.

(c) Rs. 33:38 lakhs.

फल परिरक्षण

१५६८. डा० राम सुभग सिह : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय भण्डागार निगम का फलों तथा सब्जियों के परिरक्षण के लिये एक गोदाम बनाने का विचार है ; और

(ख) निगम ने पहले एसे कितने गोदाम बनाये हैं ?

खाद्य तथा कृषि उपमंत्री (श्री अ० म० थामस) : (क) और (ख). केन्द्रीय भण्डागार निगम फलों तथा सब्जियों के परिरक्षण के लिये एक गोदाम बनाने के प्रश्न पर विचार कर रहा है । अब तक ऐसा कोई गोदाम नहीं बनाया गया है ।

Export of Indian Birds to U.S.A.

1599. { Shri Radha Raman:
Shri Raghunath Singh:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have approved any U.S.A. project under which there will be export of Indian birds to U.S.A.

(b) whether any team of research biologists has arrived in India from there for this puprpose; and

(c) if so, what is the nature and extent of this scheme and how will it operate?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes, Sir.

(b) Yes, Sir.

(c) The purpose of the project is to carry out scientific studies of some common game birds with a view to finding out a few species of Indian birds which may adapt themselves in some American game reserves where they may be liberated for trial. The entire expedition may last for about 3-4 years.

The Government of India would decide from time to time in what areas the party will spend their time in catching the birds, putting them in quarantine, observing their habits, etc. The party will not be allowed to go to the Himalayan regions.

'Goitre' in Bihar

1600. Pandit D. N. Tiwari: Will the Minister of **Health** be pleased to state whether any financial assistance is given to Bihar State during the Second Five Year Plan period for curbing and curing of 'goitre' whose incidence in the districts of Champaran and Muzaffarpur of the State is the highest?

The Minister of Health (Shri Karmarkar): No direct financial assistance is given to Bihar; but under the Goitre Control Scheme of the Central Government a survey team is doing survey in the district of Champaran from July, 1960 and has so far covered a pupulation of 43,979 in 55 villages and 53 schools. On completion of the survey in this district the team will undertake survey in other districts of Bihar where goitre is endemic. After the survey has been completed iodised salt will be supplied to the inhabitants of the affected areas.

Malaria and Filaria Programmes

1601. **Dr. Samantsinhar:** Will the Miister of **Health** be pleased to state:

(a) whether there is a proposal for complete integration of malaria and filaria eradication programme to control successfully the two diseases in the final phase of the malaria eradication programme under one integrated programme; and

(b) whether any change in the habits of the malaria and filaria producing mosquitoes has been observed recently?

The Minister of Health (Shri Karmarkar): (a) There is no such proposal.

(b) No change has been observed in the habits of the malaria and filaria vectors. Certain observations, however, have been recorded indicating a change in their susceptibility to the insecticides in use.

Imphal Municipality

1602. **Shri L. Achaw Singh:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that there has been no auditing of the accounts of the Imphal Municipality for the last five years; and

(b) if so, why not?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir.

(b) Since the Manipur Administration have no audit department for local bodies, they requested the Accountant General, Assam in the year 1958 to audit the acounts of the Municipality on payment of audit fees if necessary. Certain details called for by the Accountant General, Assam were furnished by the Administration but the work of auditing the accounts of the municipality has not been undertaken by the Accountant General so far in spite of reminders by the Administration.

Telephone Connections in Rampur

1603. **Shri S. A. Mehdi:** Will the Minister of **Transport ad Communications** be pleased to state:

(a) how many telephone applications are pending in Rampur since 1st September, 1959 to 30th November, 1960; and

(b) how many connections have been given so far?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) Twenty applications relating to the period 1st September 1959 to 30th November 1960 are still on the waiting list.

(b) 10 new connections were opened during the above period.

Cobalt Units for Cuttack

1604. **Shri Surendranath Dwivedy:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that one of the Cobalt 60 Units donated by Canada to India under Colombo Plan has been allotted to S.C.B. Medical College Hospital, Cuttack; and

(b) if so, when this offer was made to Orissa and when this Unit is likely to be made available to this hospital?

The Minister of Health (Shri Karmarkar): (a) Yes.

(b) The request of the Orissa Government has been included in the Capital Aid Programme for 1959-60 and the Unit is likely to be supplied during 1961-62.

Electronic Weighing Machines

1605. **Shri Kalika Singh:** Will the Minister of **Railways** be pleased to state:

(a) whether the £10,000 electronic weighing machines which enable railway goods wagons to be accurately weighed while still in motion, manufactured by Fairbanks Morse and Co. of Britain are being imported and installed in India also;

(b) whether Indian Manufacturers manufacture such machines;

(c) if not, whether there is any scheme to manufacture such machines locally in the Third Five Year Plan;

(d) whether delays in weighments creates congestion at some important centres; and

(e) if so, the names of these stations?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) to (c). The Railways have no information on the subject.

(d) and (e). The information has been called for from the railways and will be placed on the Table of the House in due course.

Bombay Port Trust

1606. Shri Assar: Will the Minister of **Transport and Communications** be pleased to state:

(a) the number of thefts committed in the Port Trust, Bombay during the period August-October, 1960; and

(b) the number of persons arrested and the total amount involved in these thefts?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b).

Month	No. of thefts	No. of persons arrested	Total amount involved
			Rs.
August .	70	54	1,31,888
September .	46	29	21,810
October .	110	47	44,921

Railway Grainshop Employees

1607. Shri Yadav Narayan Jadhav: Will the Minister **Railways** be pleased to refer to the reply given to Unstarred Question No. 2409 on the 8th September, 1960 and state:

(a) the steps taken by the Ministry in order to fulfil the assurance given about seniority to the grainshop staff employed on the different Indian Railways for grainshops between 1942 to 1948; and

(b) whether it is a fact that the staff members have to undergo many hardships as their seniority has not been given?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The matter is still under consideration.

Local Running Staff of S.E. Railway

1608. Shri Aurobindo Ghosal: Will the Minister of **Railways** be pleased to state:

(a) whether the recommendations of the Joint Advisory Committee of 1950 have been implemented in respect of the Loco Running Staff of S. E. Railway; and

(b) if not, what arrangements have been made for payment of the arrears due to the staff including those who have already retired?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) The recommendations of the Joint Advisory Committee have been fully implemented in the case of Drivers and partly in the case of Shunters and Firemen.

(b) The work of drawal of arrears in respect of eligible staff has been taken up and is in progress.

Recovery of Sugar

1609. { **Shri Agadi:**
Shri Wodeyar:
Shri Neswi:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the average recovery of sugar in the seasons from 1957-58 to 1959-

60 in the following sugar factories in Mysore State:

(i) India Sugar and Refineries Ltd., Hospet;

(ii) Kampli Co-operative Sugar Factory, Kampli; and

(iii) Salar Jung Sugar Mills Ltd., Munirabad;

(b) the reasons for the low recovery in the two sugar factories at (i) and (ii) above managed by the Joint Stock Companies; and

(c) whether Government are aware that the same variety of cane is being grown in the area of these factories?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a)

Factory	Recovery of sugar per cent cane		
	1957–58	1958–59	1959–60
(*i*) Hospet	9·71	9·51	10·42
(*ii*) Kampli	6·20	11·19	11·06
(*iii*) Munirabad .	9·38	9·77	10·18

(b) Of the above, the factories at (i) & (iii) are Joint Stock factories and that at (ii) is a Copoerative.

Recovery of sugar largely depends on the sugar in cane and the working efficiencies of the factories. Despite the variety of cane being the same, the sugar in cane and hence the recovery of sugar vary from area to area and even in the same factory area from season to season.

(c) Yes, Sir.

Sugar Factory in Mysore State

1610. **Shri Agadi:**
Shri Wodeyar:
Shri Neswi:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether an application for grant of a licence along with the recommendation of the Mysore State Government for establishing a cooperative sugar factory at Gangavati, Raichur District, Mysore State was received in the year 1957-58 by the Union Ministry;

(b) whether the licence was granted;

(c) if not, for how long the application was kept pending;

(d) whether it is a fact that a licence was granted subsequently to a joint stock company for the same locality; and

(e) if so, on what date the application was received and on what date the licence was granted?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) to (c). Yes, Sir, the application was received in February, 1957. It was rejected in June, 1957, as no spare capacity was then available for licensing.

(d) and (e). An application from a joint stock company for establishment of a factory in this locality was received on 29th December, 1958. Grant of licence to the company was approved on 23rd June, 1960 on the recommendation of the State Government, who informed that the cooperative society concerned had resolved to wind up its affairs and refund the share capital collected by it and as such there was no possibility of establishing a cooperative factory in the area.

'Damage to Groundnut Crops'

1611. **Shri Tangamani:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether large scale damage was caused to groundnut crops this year by red caterpillars;

(b) if so, the States affected and the extent of damage; and

(c) what steps have been taken to wipe out the pests and also to prevent recurrence?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) and (b). Recently, there was a large scale attack of the red caterpillar pest on groundnut crop in the Usilampatti area of Madurai District in Madras State. The attack was also noticed during this season in Dindigul area of the same district and in parts of Thanjavur and Ramanathapuram Districts. The incidence was on a smaller scale in all the areas except Usilampatti, where an area of 23,000 acres is reported to have been affected and the loss of crops is valued at nearly Rs. 11·50 lakhs.

(c) The Madras Government distributed pesticides to the tune of Rs. 31,000.00 at 50 per cent cost price and rushed sprayers and dusters to the affected areas. Material and technical assistance from the Government of India Central Plant Protection Station, located at Tiruchirapalli were also given. With all these control measures, the incidence of the pest was reduced to the minimum.

The red hairy caterpillar pest can successfully be controlled with insecticides, if the infestation is detected early. For ensuring adoption of control measures in time, the Agriculture Departments of Andhra Pradesh and Madras issue forecasts of the pest and disease outbreaks, including that of the red hairy caterpillar pest. The Madras Government is also proposing to set up a Plant Protection Unit in Madurai District so as to ensure the adoption of prompt pest control measures in future.

Derailment near Manmad

1612. **Shri Tangamani:**
Shri Sobiman Ghose:

Will the Minister of **Railways** be pleased to state:

(a) whether some bogies of the Bombay bound Calcutta Mail were derailed on the 20th November, 1960 near Manmad;

(b) if so, damage caused to Railway property and injuries, if any, to the passengers;

(c) the cause of the accident; and

(d) nature of investigation and enquiry conducted?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, at Pimperkhed station on the Bhusaval—Igatpuri Section of the Central Railway.

(b) Rupees three thousand approximately; no one was injured.

(c) and (d). The cause of the accident is under investigation by a Senior Scale Officers' Enquiry Committee.

Hamdard Dawakhana, Delhi

1613. **Dr. Gangadhara Siva:**
Shri Kodiyan:
Shri Abdul Latif:

Will the Minister of **Health** be pleased to state:

(a) whether Hamdard Dawakhana of Delhi is establishing an Institute of the history of medicine at Tughalaqabad 13 miles away from Delhi;

(b) whether any facilities have been given by Government to the Hamdard Waqf for the above institute; and

(c) how many Ayurvedic and Unani research and manufacturing institutes are there at present in India?

The Minister of Health (Shri Karmarkar): (a) Yes.

(b) No.

(c) According to the report of the Committee to Assess and Evaluate the present status of Ayurvedic System of

Medicine published in 1959 and total number of Ayurvedic Research units and Pharmaceutical concerns were about 28 and 41 respectively. The information regarding Unani system is not available.

Barsol Station

1614. **Shri Bholanath Biswas:**
Shri P. G. Sen:

Will the Minister of **Railways** be pleased to state:

(a) whether the first class waiting room of Barsoi Junction has been improved and second class waiting room separated therefrom;

(b) if not, what steps are being taken to improve the same befitting a junction station; and

(b) the time required to undertake it?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Upper class waiting room at Barsoi has been improved. The second class waiting room has not been separated.

(b) and (c). There is no justification for a separate second class waiting room at present. However, the position will be reviewed after the completion of the Broad Gauge line from Siliguri to Mukuria near Barsoi.

Katihar Junction

1615. **Shri Bholanath Biswas:**
Shri P. G. Sen:

Will the Minister of **Railways** be pleased to state:

(a) whether any Master Plan for Katihar Junction has been prepared;

(b) if so, when it is going to be implemented; and

(c) the time required for completion of the work?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) The Estimate for the work has been sanctioned.

(c) Expected to be completed within one year of the acceptance of the tender and receipt of materials. Tenders are due to be opened on 16th December, 1960.

Medical Store Depot in Andhra Pradesh

1616. **Shri Anthony Pillai:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that Government propose to open a Medical Store Depot in Andhra Pradesh; and

(b) if so, the details thereof?

The Minister of Health (Shri Karmarkar): (a) Yes, at Hyderabad.

(b) The Depot is being set up to cater to the needs of Government and Local Government Hospitals and Dispensaries in Andhra Pradesh numbering about two thousand.

The proposal involves an annual capital outlay of nearly Rs. 20 lakhs subject to the recovery from the indentors of the cost of the stores supplied.

The depot, as other Medical Store Depots at Bombay/Madras/Calcutta/Karnal will be run as a departmental undertaking on commercial lines but on the principle of "No profit, no loss".

Spraying of D.D.T. in M.Ps.' Quarters

1617. Shri Ram Krishan Gupta: Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that New Delhi Municipal Committee have refused to spray D.D.T. free in the M.P.s' residences and their attached servants quarters; and

(b) if so, the reasons therefor?

The Minister of Health (Shri Karmarkar): (a) Yes.

(b) (1) The New Delhi Municipal Committee do undertake spraying of houses on request at a maximum charge of Rs. 6 and minimum charge of Rs. 1 depending on the assessed monthly rental value of the house.

(2) The New Delhi Municipal Committee do not find it possible to discriminate between different classes of citizens in the matter.

(3) The cost of spraying all the houses in New Delhi Municipal Committee's area free of charge would be prohibitive.

Single Point Taxation on Vehicles

1618. Shri Ram Krishan Gupta: Will the Minister of **Transport and Communications** be pleased to state the nature of steps taken so far or proposed to extend the principle of single point taxation to all kinds of motor vehicles, which are plying on temporary or permanent permits?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The principle of single-point taxation on motor vehicles plying on inter-State routes has already been accepted by all states, though the Government of Madras feel that operation on inter-State routes in more profitable than intra-State operation and therefore tax at a somewhat higher rate should be recovered from vehicles operating on inter-State routes. This principle has, however, not been applied in some States to vehicles operating on temporary permits. Efforts are being made to have a uniform policy accepted by all.

Clockwise Air Service

1619. Shri Madhusudan Rao: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether there is any proposal for a clockwise air service for Madras, Vijawada, Viskhapatnam and Hyderabad; and

(b) if so, the details thereof?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) No, Sir.

(b) Does not arise.

Phonogram Service

1620. Shri Madhusudan Rao: Will the Minister of **Transport and Communications** be pleased to state:

(a) the names of the places in India where phonogram service is available; and

(b) the names of places where such type of service will be provided by the end of the Second Five Year Plan?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) The offices where phonogram facility is available are shown in the P. & T. Guides. Volume II, 1960 edition of the Telegraph Guide shows the position corrected upto December, 1959. The number of offices is approximatly 400.

(b) Endeavours are being made to introduce phonogram service at all places where telephone service exists.

12.12 hrs.

MOTION FOR ADJOURNMENT

INDIAN CONTINGENT IN CONGO

Mr. Speaker: I have received notice of an adjournment motion from Shri Indrajit Gupta:

> "The emergent situation confronting the Indian contingent in Congo as a result of the decision of the Government of Ceylon, Yugoslavia, U.A.R. and Ghana to withdraw their contingents."

He wants to know what has happened to our contingents.

Shri Indrajit Gupta (Calcutta—South—West): May I just take one minute of your time and the time of the House, just to explain one point which would perhaps make it more helpful to the hon. Prime Minister to make a statement?

Certain developments which have taken place as reported in the press in the last day or two, seem to have created a new situation in which our people there in the Congo are facing a completely new crisis or dilemma or whatever one may call it. Because in the last two days, something has happened which was not there previously. That is to say, some of these Governments of the friendly or neutral or non-aligned countries have taken unilateral decisions to withdraw their contingents just at a time when it appears that the control of the U.N. such as it has exercised over the situation in the Congo has, if anything, weakened. We have read today that, for example, the correspondents of the P.T.I. has been ordered to get out of the Congo. Our own Brigadier General Rikhye has made a statement saying that normal transport facilities are going to be denied to the U.N. by Col. Mobutu and Col. Mobutu himself has taken up a defiant attitude towards the world-wide protest that has come regarding the ill-treatment of Mr. Lumumba, and so on. What I want to know is, in this situation, we are faced with a dilemma . .

Mr. Speaker: All that the hon. Member has said is here in this.

Shri Indrajit Gupta: May I just state the position? I would like the Prime Minister to clarify this position.

Mr. Speaker: As to why we have not withdrawn?

Shri Indrajit Gupta: Not only that. Either way: if we do not withdraw, we are left holding the baby, as far as I can make out; if we do withdraw, the question arises as to how the U.N. forces are to be strengthened to control the situation in the Congo. It is a very serious situation. I would like the Prime Minister to state what the Government's position is.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): There is no doubt that the situation as it has developed in the Congo is a very serious and a very dangerous situation. I would venture to indicate that I shall make a statement about this—I think there is a short notice question—on Monday.

Mr. Speaker: There is a Short notice question.

Shri Jawaharlal Nehru: I propose to take advantage of that anyhow and to make a statement on Monday next. It would be better if we deal with it in a more or less comprehensive way than in bits. Perhaps it would be better.

There is no doubt that, as the hon. Member says, all these things have happened and they have created an extraordinary, complex situation. But it is not for us only, but for everybody, more especially for the Congo itself an extraordinary position. At the present moment, it is being discussed in the Security

[Shri Jawaharlal Nehru]

Council of the U.N. By and large, much will depend on the Security Council's new decision as to how to handle the situation. Perhaps, in the course of the next few days we might know a little more as to how the Security Council is going to function on this question. As I have said before, we have not got combat troops there. We have only got some supply troops, and some airmen engaged in transport—transports are not ours, the pilots are—and a large number of people running hospitals. A big question is whether the U.N. has to carry on this undertaking or not. On the one hand, if the U.N. withdraws, it will lead to absolute chaos there and civil war of the worst type, tribal type and all that and possibly or even probably intervention by foreign powers. That is one side. On the other hand, the U.N. can hardly function if it cannot function effectively. That is a big dilemma there . If you will permit me, Sir, I shall say a little more about it on Monday next.

Mr. Speaker: Very well. In view of the fact that the hon. Prime Minister will make a statement both in regard to this matter and the Short notice question on Monday, I do not think it is necessary for me to give my consent to this adjournment motion.

12:15 hrs.

PAPERS LAID ON THE TABLE

ACTION TAKEN BY GOVERNMENT ON ASSURANCES

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table a copy of each of the following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of the Second Lok Sabha:—

(i) Supplementary Statement No. III Eleventh Session, 1960. [*See Appendix III, annexure No.* 25]

(ii) Supplementary Statement No. VIII Tenth Session, 1960. [*See Appendix III, annexure No.* 26].

(iii) Supplementary Statement No. XI. Ninth Session, 1959. [*See Appendix III, annexure No.* 27].

(iv) Supplementary Statement No. XIII. Eighth Session, 1959. [*See Appendix III, annexure No.* 28].

(v) Supplementary Statement No. XX. Seventh Session, 1959. [*See Appendix III, annexure No.* 29].

(vi) Supplementary Statement No. XXIII. Fifth Session, 1958. [*See Appendix III, annexure No.* 30].

INTER-STATE TRANSPORT COMMISSION RULES

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): I beg to lay on the Table a copy of the Inter-State Transport Commission Rules, 1960 published in Notification No. S.O. 286 dated the 30th January, 1960, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939. [*Placed in Library, See No.* LT-2516/60].

NOTIFICATIONS ISSUED UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): I beg to lay on the Table a copy of each of the following order under sub-section (6) of Section 3 of the Essential Commodities Act, 1955.

(i) The Rice (Punjab) Second Price Control (Second Amendment) Order, 1960, published in Notification No. G.S.R. 1409 dated the 26th November,

1960. [*Placed in Library, See No. LT*-2517/60].

(ii) The Rice (Eastern Zone) Movement Control (Third Amendment) Order, 1960, published in Notification No. G.S.R. 1410 dated the 26th November, 1960. [*Placed in Library, See No. LT*-2518/60].

12·17 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

INDO-PAKISTAN TRADE TALKS

Shri Mahanty (Dhenkanal): Under Rule 197, I beg to call the attention of the Minister of Commerce and Industry to the following matter of urgent public importance and I request that he may make a statement thereon:—

> The Indo-Pakistan trade talks held recently at Karachi.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): Sir, the statement covers three pages.

Mr. Speaker: He may lay it on the Table of the House.

Shri Satish Chandra: I lay it on the Table of the House.

Shri Mahanty: Let it be circulated.

Mr. Speaker: How many Members are interested?

Shri Mahanty: The entire House may be interested.

Mr. Speaker: It will be circulated.

STATEMENT

In terms of Protocol No. 1 to the Trade Agreement between India and Pakistan signed on the 21st March, 1960, the two countries were to exchange various commodities aggregating to Rs. 410 lakhs each way, the transactions being in non-convertible Indian rupees. The commodities concerned were: on the Pakistan side raw cotton, jute cuttings, fresh fruits and plants, live-stock, betel leaves and other miscellaneous items; on the Indian side iron and steel, live-stock, betel leaves, bidi leaves, cement, stone bouldors, fresh fruits and plants and miscellaneous goods including engineering products.

2. According to paragraph 5 of Protocol No. I, the two Governments were to review the working of the Rupee Payments Arrangement at the expiry of six months of its working. This review became due towards the close of September 1960, and the Pakistan Government invited a Trade Delegation from India for this purpose. The invitation was accepted and a Delegation led by Shri D. Sandilya, Joint Secretary, Ministry of Commerce and Industry, left for Karachi on the 23rd November, 1960.

3. Talks were held with the representatives of the Government of Pakistan between the 24th and 26th November. During these talks it was noted that as on 29th October, 1960, exports from India in terms of the Limited Payments Arrangement totalled Rs. 1·10 crores and imports from Pakistan Rs. 1·58 crores, leaving a balance of Rs. 48 lakhs in favour of Pakistan. It was, therefore, agreed between the two Delegations that efforts should be made to ensure full implementation by both sides by the end of the first year of the Agreement, namely, the 21st March, 1961. The Pakistan Government were advised that supplies of the agreed quantities of pig-iron and steel from India would be effected by March, 1961. For their part, the Pakistan Delegation gave assurance that the work relating to the issue of import licences up to the agreed ceilings would be completed shortly.

4. The two Delegations agreed to enlarge the list of items which could be exchanged between the two countries on a Rupee Payment basis. Immediately, the following items were agreed upon:

[Mr. Speaker]

From Pakistan:

1. Nylon gut and monofilament; and
2. Fluorspar

From India:

1. Scientific apparatus and instruments
2. Hosiery machine needles
3. Fish hooks
4. Fire extinguishers
5. Transmission line towers
6. Aluminium conductors, steel reinforced (A.C.S.R.)
7. Sautchoucine

5. In order that the swing limit on the rupee account maintained by the National Bank of Pakistan with the State Bank of India may not act as a deterrent to the trade between the two countries, which may, under the new arrangement, be for temporary periods, in imbalance to a greater degree, this swing limit would continue to remain suspended. This will facilitate the implementation of the Rupee Payments Arrangement within the ceilings accepted therefor.

6. The two Delegations also reviewed the items of Trade falling under Protocol II to the Trade Agreement. This Protocol envisaged supplies of specific quantities of coal, hard wood, soft wood and stone boulders to Pakistan and imports by India of jute cuttings from Pakistan.

7. The Pakistan Government were apprised of the difficulties leading to a short-fall in the supplies of coal and were assured that coal movements would be maintained according to the accepted schedule during the remaining part of the Agreement period. Clarifications were also obtained in regard to Pakistan's requirements of hard and soft wood railway sleepers.

8. The two Delegations further agreed that the next review could take place in February, 1961 and that as many items as possible of trade between India and Pakistan should be brought under a Rupee Payments Arrangement.

12.18 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government Business in this House during the week commencing Monday, the 12th December, 1960 will consist of:—

(1) Consideration of any item of Government Business carried over from today's Order Paper.

(2) Consideration of a motion for reference of the Maternity Benefit Bill, 1960 to a Joint Committee.

(3) Consideration and passing of—

The Motor Transport Workers Bill, 1960, as reported by the Joint Committee.

The Preference Shares (Regulation of Dividends) Bill, 1960, as reported by the Select Committee.

The Children Bill, 1960 as passed by Rajya Sabha.

The British Statutes (Application to India) Repeal Bill, 1960, as passed by Rajya Sabha.

The Repealing and Amending Bill, 1960, as passed by Rajya Sabha.

(4) Discussion on two motions given notice of by Shri Harish Chandra Mathur and others on Public Sector Undertakings on Tuesday, the 13th December, at 3 P.M.

(5) Discussion on the Annual Report of Neyveli Lignite Corporation Limited for the year 1958-59, on a motion to be moved by Shri K. T. K. Tangamani on Thursday, the 15th December, at 3 P.M.

Shri Mahanty (Dhenkanal): If you will kindly remember, Sir, we had requested the Government to come forward with a Motion for discussion of the Second Report of the Linguistic Minorities Commission. We are very anxious to have a debate on that report. It is being held over since the last session. We do not know really when it is going to be brought before the House.

Shri Satya Narayan Sinha: We have committed that we will have it in this session. I think the hon. Member must be a little patient. The session is not going to be over by this week.

12.20 hrs.

APPROPRIATION (NO. 5) BILL, 1960

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): On behalf of Shri Morarji Desai, I beg to move*:

> "That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1960-61 be taken into consideration".

Mr. Speaker: The question is:

> "That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1960-61 be taken into consideration".

The motion was adopted.

Mr. Speaker: I shall now put the clauses etc., to vote.

The question is:

> "That clauses 2 and 3, the Schedule, clause 1, the Enacting Formula and the Long Title stand part of the Bill".

The motion was adopted.

Clause 2 and 3, the Schedule, clause 1, the Enacting Formula and the Long Title were added to the Bill.

Dr. B. Gopala Reddi: I beg to move:

> "That the Bill be passed".

Mr. Speaker: The question is:

> "That the Bill be passed".

The motion was adopted.

12.21 hrs.

FORWARD CONTRACTS (REGULATION) AMENDMENT BILL—*contd.*

Mr. Speaker: The House will now resume further consideration of the following motion moved by Shri Kanungo on the 8th December, 1960, namely:—

> "That the Bill further to amend the Forward Contracts (Regulation) Act, 1952, be taken into consideration".

Shri Heda who was in possession of the House may now continue his speech.

The total time allotted is 5 hours; the actual time taken is 2 hours 50 minutes, and, therefore, the balance available is 2 hours 10 minutes.

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*Moved with recommendation of the President.

[Mr. Speaker]

How long does the hon. Minister propose to take for his reply?

The Minister of Commerce (Shri Kanungo): I shall take about 15 to 20 minutes.

Mr. Speaker: How long will the clauses take? We have to conclude this by 2.30 P.M.

Shri Warior (Trichur): The clauses may not take so much time. Some more time may be given for the general discussion.

Mr. Speaker: Shall we allot one more hour for the general discussion?

Shri Kanungo: For the discussion of the clauses, at least one hours is necessary.

Mr. Speaker: It is now about 12.24 P.M. This means that the general discussion will conclude by 1.30 P.M. I shall call the hon. Minister for reply at 1.10 P.M.

Shri Heda (Nizamabad): Yesterday, I was referring to clause 6, and I was saying that I did not grudge, rather I had welcomed the commission taking some more powers. The point is whether these powers are adequate to solve the difficulties that the commission is facing.

Let us see the difficulties which this Forward Markets Commission is facing. The commission has found that a certain class of traders carry on trading in contravention of the provisions of the Act. For example, trading in hedge contracts in commodities brought within the purview of the Act is carried on in unrecognised associations, or trading is carried on in prohibited commodities, Option trading is also carried on on the sly. Trading in commodities to which section 15 of the Act has been applied is carried on in the name of 'kerb' outside official hours. There is also misuse of non-transferable specific delivery contracts for speculative purposes. In the early stages, the commission drew the attention of recognised associations and of the trade to the various aspects of illegal trading that was going on with a view to stopping such trading. When this did not have the desired result, the commission had to carry out raids on firms alleged to be carrying on illegal trading, through the agency of the State Governments, and the necessary prosecutions were launched, and many persons were prosecuted. So, these are the problems that the commission is facing.

The point is whether with the powers given under this clause and also the clauses that follow it, we shall be able to solve the problem. So far as 'kerb' trading, that is, trading outside official hours is concerned, I do not think this Bill will go far enough, because generally, such trading is unauthorised and it is carried on outside official hours. Therefore, it is very difficult to trace it. On the previous day, outside the official hours, they make some deals, and on the next day, they may regularise them as if they entered into these deals or these contracts during the official hours. Thus, they escape.

There is also another thing. Taking action against the persons concerned is not so easy. It is quite difficult. Therefore, whatever control or regulation of the forward market we can exercise will be through the good offices of these associations. That being the case, the other provisions of this Bill, namely the new chapter that is now being provided, and also the clauses making the penalties more severe will not go very far.

So far as penalties are concerned, three Members have spoken about it in detail, and one Member was rather very much obsessed by it, and he said that on mere technical grounds, we should not indulge in giving jail punishments. I do not agree with him, and I do feel that this type of punishment will have the desired effect to a certain extent. But the point is that it would not solve the entire problem, as has been the case in regard to many other things. It is just possible that the people concerned may find a class of persons in whose name they trade and the persons in whose name they could trade may face imprisonment, and the real person behind him will go scot-free.

So, the only short point that I want to make is that the various powers that already the commission possesses, and the powers that are now sought to be given will not be enough to solve the problem. The problem will have to be solved outside the purview of this Act by various other activities and through the climate that we shall be creating through the recognised associations and so on.

I wish that the commission gets the spirit of confidence and the hesitancy that I had experienced in its working so far would not be there hereafter. The very fact that they would go into greater details and try to get evidence and so on will mean that there will be no difficulty in case of prosecution, and the prosecution would be successful. But I hope that this very provision may not make them hesitant or mean delay in taking action. That was my apprehension, and I hope that my apprehension will remain not well-founded.

With these remarks, I support the Bill.

Shri A. P. Jain (Saharanpur): Shri V. P. Nayar is reported to have said yesterday that in a planned economy, there is no place for forward markets, that is, for forward transactions. Shri V. P. Nayar appears to have forgotten that in our planned economy, the industrial activities are divided into various sectors. Firstly, there are public enterprises, which are owned and worked by the State. Secondly, there are enterprises which are primarily to be run by the State, but in which, in exceptional circumstances, private industrialists are also allowed to partake. Then, there is the third sector, of the organised industry which is controlled and left primarily to the private enterprise. Lastly, there is a private sector which is not much organised. Behind all this is the agricultural sector which produces raw materials, and which is more or less unorganised. Therefore, our economy is not a wholly socialised economy. In the system of planning, it appears to me, that there is not only scope but necessity for forward markets. Forward marketing, if indulged in excessively, leads to speculation. Within certain limits, it helps to hold the price line. I was, therefore, somewhat taken aback when Shri V. P. Nayar said that in a planned economy of the type we have adopted, there is no place for forward trading.

Coming to the merits of the Bill, there are certain provisions—positive provisions—which, I think, are good and should be welcomed. But there are omissions which, I feel, are regrettable and which will not be helpful, may I say which will be injurious to fuller control of the market. The hon. Minister, while moving for the consideration of the Bill, said that the Act has on the whole worked well and that its fundamental basis was not wrong. I am sorry I cannot share his opinion. The Forward Markets Commission, in my opinion, has, on the whole, failed to control speculative activities. It is the experience of every one of us today that speculation is rampant not only in stocks and shares, but in a large number of commodities including food articles and various types of raw materials—jute in particular. This by itself is a clear indication of the failure of the Commission to hold the price line. I do not say that the activities of the Forward Markets Commission can by themselves hold the price line, but I do say that the Commission is one of those agencies upon whom the responsibility for holding the price line falls to a large extent.

Among the provisions of the Bill which I welcome are the power to specify bye-laws, the contravention of which would make contracts illegal. I think this is a healthy and salutary

[Shri A. P. Jain]

provision. Again, the power of Government to suspend a member of a recognised association and/or to prohibit him from entering into forward contracts is another healthy provision. Experience in the past has shown that a few speculators spread over various parts of the country—some in Northern India, some in Western India and some in South India—have joined hands together in rigging the market to an extent which has created dangerous conditions. If this provision is effectively and properly enforced, I do hope that that kind of rigging will become impossible. Another provision which I welcome is the compulsory registration of associations engaged in forward trading and the limitation of forward contracts to specified hours, that is to say, any contract entered into outside those hours will not be considered a legal contract.

Among other important provisions, the enhancement of the punishment for contravention of laws and regulations is another welcome improvement. I particularly welcome the provision which says that in case of recurrent offence, that is when a person has contravened a provision of law a second time, he will have to compulsorily undergo imprisonment. Besides this, a few other provisions, as for instance, vesting of the power of a civil court in the Forward Markets Commission, will certainly make its working effective. It is a good provision. The power of Government to prescribe the maintenance of certain accounts and other documents and the submission of returns will, I think, regularise the working of the associations.

While all these are welcome provisions, I feel that they are very very incomplete. The main structure of the law has been maintained as it is, namely, that the Forward Markets Commission under the present Act has the power to notify certain commodities in respect of which forward transactions cannot be entered into. The same structure has been maintained after the amendment of the law, namely, in future too the Commission shall have the power to specify certain commodities in respect of which forward contracts will be prohibited.

What is our past experience? The House will remember that at one time —I believe a couple of years or so ago—forward trading in gram was prihibited. What did the speculators do then? They began to speculate under the name of *archar* and those contracts, although they were in reality forward contracts in gram, were done under a fake name. So long as a wide area for forward marketing is left to the speculators, they will circumvent legal provisions and continue to speculate in prohibited articles under another fake or camouflaged name. Besides, speculation today has reached such vast dimensions that the vast scope now allowed to speculators will come in the way of the Forward Markets Commission in controlling market conditions. I wish to suggest in all humility to the hon. Minister that he should revise the scheme of the law radically, namely, that forward trading should be prohibited in all articles except those which are permitted by the Forward Markets Commission. Firstly, contracts for forward trading must be entered only through a recognised association. That provision is there. Secondly, they will be entered into only in respect of commodities in which the Commission allows forward marketing. In all other commodities, such transactions will be completely and totally prohibited. That alone can bring sanity to the markets.

What do we find, Take the Stock Exchange. In the case of a certain company, shares valued at Rs. 50 were sold in advance even before the share capital had been subscribed at about Rs. 350 per share, that is at a premium of 600 per cent.

Shri Naushir Bharucha (East Khandesh): What has it to do with forward trading?

Shri A. P. Jain: I am talking of speculation. That is the condition of speculation in the market today. Forward trading does add to speculation. It enables people to speculate.

The holding of the price line during the Third Five Year Plan period has been accepted as a very important aspect, towards which our efforts should be directed. The Planning Commission had laid down that in the Second Plan that speculative tendencies must be curbed. It has laid down certain fiscal and monetary measures, physical controls, etc. The Reserve Bank has been trying to control the availability of credit by various mechanisms. The steps taken by the Reserve Bank have succeeded to a certain extent. Certain fiscal measures have also been taken and they have succeeded to a limited extent. In order to hold the price line, we know that Government have imposed price control, movement control and so on. All over the world, the experience has been that the fiscal and monetary controls and physical controls have succeeded only to a limited extent. Even in that monolithic State I refer to the USSR—physical controls were tried. Prices were laid down for a large number of commodities but they failed to enforce these prices. In Russia, even today, there are two flourishing markets—one controlled market which sells commodities at controlled prices and side by side of the controlled market, there is another market a sort of a free market where the same commodities are being sold at a much higher price. When the Russian Government, with all its power and might, failed to enforce the prices, it made the black market into a white market.

We have tried a number of measures of control in India, and the control over the forward marketing is very essential for maintaining the price line. I do not say that we are in the grip of an inflation now but there are certain inflationary trends in the country and the prices have been rising. Forward market flourishes when the prices have a tendency to go up. So, curbing the forward markets becomes all the more necessary. We are going to have the Third Plan which will be of a vast magnitude. If the prices continue to have a tendency to go up, the forward markets will expand more and more. I do not say that it is not useful. So long as there is a private sector, the industries would like to assure themselves of supplies and raw materials. But forward markets can be utilised for this purpose, genuine marketing operations and also for speculation. We must not allow the speculative tendency to have free play. It is for that reason that I feel strongly that the scheme of the law must be changed and forward marketing allowed only under controlled conditions where it is needed for genuine trading purposes and not for the purpose of speculation. My apprehension is that if vast scope is left open to forward markets, speculation will continue. Therefore, I consider this law is a halting law. I know that the Forward Market Commission is afraid of radical changes, which my suggestion implies. I know that a big burden will fall upon the Commission but this House feel greatly concerned about certain important matters—holding of the price line is one of them—and necessary steps must be taken. Mere administrative difficulties or timidness of hearts should not be allowed to come in the way of healthy economic growth. Unless this law is made much more strict than it is today, it will fail in its object, as it has failed in the past. The hon. Minister should give a little more thought to what I have said. After all, the Forward Contracts Act has been there on the statute-book for many years. This amending Bill has also been under consideration for a long time; there is no great hurry that the Bill should be passed at once. It may be referred to a Select Committee. I find there is a proposal for the circulation of this Bill to elucidate public opinion. We may not go so far but as the issues involved are grave, we will lose nothing if a little more

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thought is given to this problem. I would, therefore, earnestly request the hon. Minister to refer this Bill to a Select Committee, so that, if I happen to possess a view and I feel strongly about it, it may be discussed in the Select Committee. There would be no loss in that and I hope the hon. Minister will accept my proposal.

Mr. Speaker: In the House of Commons the practice that is followed is that as soon as Parliament meets—and yearly also—a number of committees are appointed for various departments. They are not for the purpose of advising the Government. They are standing committees to which automatically every Bill is referred for vetting. The departments no doubt take extra care to prepare the drafts of the Bills that are placed before the House. However carefully it may be done there may be something more to be done and others also may make some contribution. I feel that we must have some similar practice here so that we may refer every Bill that comes up to a Committee of the House so that we may know the combined opinion, and also whether the hon. Members are for or against, and whether the Government accepts them or not. I am seriously considering why we should not follow the practice of the House of Commons. The House as a whole is entitled to bring to bear its own opinion apart from the question being considered by the Government. It can be done unless there are exceptional circumstances where there is absolutely not a day to be spent. Originally we considered in the Business Advisory Committee that this matter might go to the Select Committee. There is no harm in that. Tomorrow is a holiday and day after tomorrow is also a holiday. If it is referred to a Select Committee, we can have it back even on Monday. The hon. Ministers may consider that.

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Sir, the first point is of course, a general matter and we will abide by whatever decision is taken by the Government in consultation with the hon. Speaker.

In regard to this particular measure, if you so desire, I shall have no objection to its being referred to the Select Committee but it will have to be a joint Committee. Secondly, I would very much like that this Bill is passed in this very session. We are very particular about that because we have to take immediate steps or measures in regard to certain commodities, about jute, as my hon. colleague had said, the position is getting really difficult and we do want to take some action. Unless this Bill is passed, we have not got the powers to take any such action.

Mr. Speaker: There is no difficulty about getting it passed in this session.

Shri Heda: I may submit that the purpose of referring this to the Select Committee would not be fully served if it is rushed through. In the Select Committee, not only the opinion of the Members would count but the evidence and the opinion of the interests concerned producers, forward market-interests, industry etc—should also be taken into consideration. From that point of view, if we rush through it in the Select Committee, the purpose would not be served. I do not find there are any provisions here which are so urgent or important that unless we rush through this Bill and pass it in this session Government will not be able to do much.

Shri A. P. Jain: May I add a word, Sir? This measure has been under the consideration of the Government for more than a year, perhaps for about two years. It is true that certain situations may have arisen, but I do not think that those situations are of such supreme importance or such a grave injury is likely to be caused as not to allow this matter being given a little more consideration. I think, Sir, it would be better if this Bill is referred to a Select Committee.

Shri Warior: Even when the original Act was passed the producers who are more concerned than all others were not consulted. The State Governments have also got some experience of this because only in recent years these markets have spread throught India. Formerly this market was concentrated in Bombay and then it extended to Calcutta. Now even the foodgrains market is affected by this. It is true, there may be some urgency but, at the same time, it must, be more comprehensive and the present situation also must be taken into consideration. I, therefore, think that a Select Committee will have to go through this more seriously and then make the necessary amendments. The only urgent measure contained in this is the appointment of one more member to the Commission. That may be very urgent because the work is increasing day by day. In regard to all other matters, it is very important that the interests concerned are consulted and the Bill goes through the processing of a Select Committee.

Shri A. P. Jain: The operative portion remains the same. Now the Forward Markets Commission has power to prohibit forward trading in respect of certain commodities. In the future also that power remains. The only thing now provided for is some higher punishment, maintenance of certain registers and submission of certain returns etc., setting up of recognised associations etc., They will certainly take time. Government will have to frame rules and do other things. By and large, there is no urgency in these matters and nothing can be done all at once.

Shri Lal Bahadur Shastri: No, Sir. In fact, Shri Jain supports our step. If there is not going to be any major change in this Bill he should have no objection. If the Bill has to be considered in a much wider context, well, there can be another occasion and the Bill could be referred to a Select Committee. But there are many other matters and it is not only the case of jute. Hon. Members have laid stress on stabilisation of prices, especially the Members of the Communist Party, and I am surprised that they should suggest a step which will delay this measure.

Shri Indrajit Gupta (Calcutta-South West): We want more effective steps.

Shri Lal Bahadur Shastri: But let us take some effective steps. You are preventing me from taking some effective steps at the present moment. According to your advice, Sir, I was prepared to agree that this matter may be referred to a Select Committee, but as I requested you before we would like to have this Bill passed by both the Houses during this session.

I do not want to take your time, Sir, but I would like to point out that there are many things provided for in this Bill. For example, there is kerb trading. We propose to take steps against kerb trading. For this we thought it proper that if kerb rates are published in newspapers it will have to be stopped. There are other matters also.

Shri Naushir Bharucha: This Bill is not going to stop all that.

Shri Lal Bahadur Shastri: Inspite of the Indian Penal Code and the Criminal Procedure Code robberies and dacoities are taking place—that is a different matter altogether. But the point is that we have to take some steps. In fact, Shri Jain wants to widen the scope of the Bill. He wants that all commodities should be banned except those in which Government allows a regulated trading. Well, if, for example, we have got 14 items in which there is regulation and control, we can increase the number to 20 or 25. It all depends upon the

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strength of our staff and organisation. Up till now we did not want to extend these controlled markets. My idea is that we should do it. So, in a way, we will be meeting Shri Jain's point of view. I would, therefore, request you, Sir, that this Bill may be allowed to be proceeded with. There is hardly any time for it to be referred to a Select Committee. If it is referred to a Select Committee we will not be able to get it passed during this session. So, because of the necessity of stabilisation of prices—we may not be able to do much, but we should be allowed to do whatever could be done —I humbly request that the Bill may be proceeded with.

Mr. Speaker: If it were only a matter of a couple of days, I thought we could get through with it. Now it appears that bigger things are sought to be done. The hon. Minister will later on think about the further changes that may be necessary. This will be an emergency measure dealing with the immediate problems and, of course, a long range view will be taken later on.

Shri A. P. Jain: With your permission, Sir, may I again appeal to the hon. Minister? Where is the urgency about any of the provisions contained in this Bill? In fact, the Government will more or less, be tinkering with the problem which will be ineffective.

श्री कोरटकर (हैदराबाद) : अध्यक्ष महोदय मैं भी इसी राय का हूँ कि यदी यह बिल सिलेक्ट कमेटी को भेज दिया जाए तो बहुत ही ठीक होगा ।

इस फारवर्ड कांट्रेक्ट के बारे में जब यहां पहले आश्वासन दिया गया था उस वक्त यही कहा गया था कि दामों में बहुत ही बढ़ती हो रही है और इस वजह से फारवर्ड कांट्रेक्ट किसी न किसी तरह से बन्द किया जाना चाहिये । इस आश्वासन से यह मालूम होता था कि फारवर्ड कांट्रेक्ट पर बहुत सख्त पाबन्दी लगायी जाएगी, लेकिन जो बिल इस वक्त हमारे सामने आया है उसमें सिवाय इसके कि कुछ रजिस्टर और रखे जाएँ, या कुछ सजाएँ बढ़ायी जाएँ, या इंस्पेक्शन ज्यादा किए जाएँ इससे ज्यादा कोई भी चीज नहीं है । आज पहला फारवर्ड कांट्रेक्ट ऐक्ट करीब करीब आठ बरस से हमारे सामने है, और उसके अनुसार काम हो रहा है । उसके अनुसार कारोबार होते हुए भी हम यह देख रहे हैं कि दामों में किसी तरह की भी सुस्थिरता लाने में यह ऐक्ट कभी कामयाब नहीं हुआ है । और इस तरह से यह बिल जो इस वक्त हमारे सामने है, यानी फारवर्ड कांट्रेक्ट अमेंडमेंट बिल, यह भी कोई ऐसी चीज ला सकेगा यह बिल्कुल अच्छी तरह से मालूम नहीं हो रहा है ।

बार बार यह जरूर कहा गया है कि इस वक्त ऐसी परिस्थित आ गयी है कि यह ऐक्ट इसी वक्त पास हो जाना चाहिए । लेकिन वह क्या परिस्थिति है यह अभी तक हमारे सामने नहीं आयी, और यह ऐक्ट इसी वक्त पास हो जाने से वह परिस्थिति यकायक कैसे खत्म हो जाएगी यह बात भी हमारे सामने नहीं आयी । फारवर्ड कांट्रेक्ट ऐक्ट होने के बावजूद दाम बारबर बढ़ते जा रहे हैं । सब से बड़ी चीज जो कि इस कानून में की जाएगी वह यह है कि एक रजिस्टर्ड ऐसोसिएशन खोलने की छूट दी जाएगी । मेरी राय में तो यह ऐक्ट फारवर्ड कांट्रेक्ट रेग्युलेशन ऐक्ट होने के बजाय फारवर्ड कांट्रेक्ट फरदर रिलीफ ऐक्ट हो जाएगा ।

13 hrs.

बात यह है कि फारवर्ड मारकेटस कमीशन के सामने करीब ३२९ दरखास्तें इन पिछले आठ बरस में आयी थीं और उन में से सन् १९५९ तक शायद सिर्फ २३ दरखास्तें ही मंजूर होनी थीं और एक दो और कोई मंजूर हो चुकी होगी । फारवर्ड मारकेट्स कमीशन ने बार बार जगह जगह

पर अपनी रिपोर्ट में कहा है कि बावजूद हर तरह की पाबन्दियां लगाने के दूसरी चीजों में भी इसी तरह का स्पेकूलेशन होता जाता है बहुत सी चीजें जो खिलाफ कानून हैं वह बराबर हो रही हैं । बात यह है कि अगर स्पेकलेशन कोई क्राइम या बीमारी है तो उसको पूरी तरह से बन्द हो जाना चाहिए । और अगर यह क्राइम यह बीमारी पूरी तरह से बंद नहीं होती तो यह इस तरीके से हर वक्त नुक्सान पहुंचाती रहेगी । मैंने आज तक कभी नहीं सुना है कि कोई महामारी कभी मुल्क में फैली हो और उसको मिटाने का कोई कानून हो तो उसमें यह व्यवस्था रक्खी जाय कि इतना ऐपीडैमिक रह सकता है, फलां जगह रह सकता है और फलां फलां जगह नहीं रह सकता है अथवा फलां लोग बीमार रह सकते हैं और फलां बीमार नहीं रह सकते है । मेरी यह पूरी राय है कि स्पैकुलेशन पूरे तरीके से बंद हो जाना चाहिए वरना जो चीजों के दाम बढ़ते ही चले जा रहे हैं वह कभी भी कम नहीं हो सकते हैं ।

अध्यक्ष महोदय, इसके बारे में मैं एक रिपोर्ट जो कि अमरीका में दी गई है वह सामने रखना चाहता हूं और वह यह है कि वहां पर बहुत वक्त यह कहा जाता है कि यहां भी फौरवर्ड कंट्रैक्ट्स की वजह से प्रोडयसर्स को किसानों को कुछ न कुछ दाम मिल जाते हैं और उसकी वजह से उनको सहूलियत मिलती है । यह एक बड़ी अजीबो गरीब चीज मालूम होती है कि फोरवर्ड कंट्रैक्ट्स जिनका कि ताल्लुक हर वक्त व्यापारियों से होता है वह काश्तकारों के साथ बहुत ही सहानुभति दिखलाते हुए अपना कारोबार करते हैं इस बारे में अनुसंधान होने की बहुत सख्त जरूरत थी ।

पुराने फौरवर्ड कंट्रैक्ट्स ऐक्ट में दफा २५ के तहत एक ऐडवाइजरी कमेटी मुकर्रर की जानी चाहिए लेकिन बहुत अफसोस का विषय है कि पूरे ८ साल होते हुए भी यह ऐडवाइजरी कमेटी मुकर्रर नहीं हुई । फौरवर्ड कंट्रैक्ट्स कमिशन के साथ ही साथ अगर यह ऐडवाइजरी कमेटी भी होती तो वह ऐदवाइजरी कमेटी इस बात को बतला सकती थी कि इस ऐक्ट के होने से कोई फायदा हुआ है कि नहीं । जरूरत तो इस चीज की है कि जो फौरवर्ड कंट्रैक्ट्स होता है इस सट्टे में जो मध्यस्थ आते जाते हैं उन बिचौलियों की संख्या जितनी कम हो सके होनी चाहिए और अगर वह संख्या बढ़ती ही जायगी तो फिर चीजों के दाम भी वैसे ही बढ़ते हुए चले जायेंगे और इन बढ़ते हुए दामों से इन मध्यस्थों के अलावा अन्य कोई लाभ नहीं प्राप्त कर सकता है । अगर यह ऐडवाइजरी कमेटी होती तो इस बारे में कुछ न कुछ तहकीकात करती और जांच पड़ताल करके यह बता सकती थी कि फौरवर्ड कंट्रैक्ट्स रैगुलेशन ऐक्ट की वजह से कोई फायदा हुआ भी है या नहीं । बहुत अफसोस है कि वह चीज नहीं हुई । जरूर इस बारे में अनुसंधान होना चाहिए । अमरीका में इस के बारे में अनुसंधान हुआ कि जो स्पैकुलेशन होता जाता है उसके कारण जो असली दाम काश्तकारों को प्रोड्यूसरों को मिलते हैं और जो दाम प्रोफीटियर्स को मिलते हैं, उनमें आपस में क्या अनुपात रहता है । अध्यक्ष महोदय, मैं आपके सामने वह ब्योरा रखना चाहता हूं । सन् १८५० में प्रोड्यूसर्स को जो भी चीज बिकती थी बाजार में उसका ८० फीसदी उनको मिलता था और २० फीसदी व्यापारी को जाता था । १८६० में ७५ फीसदी प्रोड्यूसर्स को मिलता था और २५ प्रतिशत व्यापारी को जाता था । सन् १८७० में ७२ फीसदी प्रोड्यूसर्स को मिलता था और २८ फीसदी व्यापारी को जाता था । मेरे कहने का मतलब सिर्फ यह है कि इस जमाने में मार्केटिंग बड़ी कम्पलीकेटेड होती चली जा रही है और इस कम्पलीकेटड मार्केटिंग में आज जो चीजों के भाव बढ़ते हैं तो उसका ज्यादा हिस्सा मार्केटियर्स को मिलता है । यह समझना कि फौरवर्ड कंट्रैक्ट्स की वजह से काश्तकारों को प्रोड्यूसरों को कुछ ज्यादा

[श्री कोरटकर]

हिस्सा मिल जाता है यह एक गलत आइडिया है। सन् १८६० में वह अनुपात ६३ और ७० फीसदी हुआ। सन् १६०० में ६० और ४० फीसदी हुआ। सन् १६१० में ५३ फीसदी हुआ, १६२० में वह अनुपात ५०-५० का हो गया और सन् १६६० में जाकर इस वक्त प्रोड्यूसर को दाम का केवल २५ फीसदी हिस्सा मिलता है और ७५ फीसदी मार्केटिंग करने वालों को मिलता है। यह सच है कि यह आंकड़े भारत के लिए नहीं कहे जा सकते हैं लेकिन जैसे जैसे मार्केटिंग कम्पलीकेटेड होती चली जायगी जैसे जैसे फौरवर्ड कंट्रैक्ट्स बढ़ता चला जायगा उसका नतीजा आगे आकर यही होने वाला है और हमको आज से ही इस बात की किसी तरह से पाबन्दी लगा देनी चाहिए ताकि प्रोड्यूसर को जो दाम का हिस्सा मिलता है वह इतना कम न हो और जाहिर है कि इसके लिए इस तरीके का ऐक्ट पास करने से कोई फायदा नहीं होगा। हमारी आर्गेनाइजेशंस् में कोई न कोई ऐसी बौडीज बननी चाहिऐं जो कि इस व्यापार को अच्छे तरीके से चला सकें। यह एक सीधी सादी बात है और यह मैं मंत्री महोदय के सामने रखना चाहता हूँ कि फौरवर्ड कंट्रैक्ट्स की वजह से आगे आने वाली स्थिति क्या है।

इसके साथ ही साथ थोड़े से शब्दों में मैं बतलाना चाहता हूँ कि जैसी इस बिल की दफात हैं उनमें कुछ ऐसी चीजें हैं जिन पर कि ज्वाएंट कमेटी में विचार होना बहुत ही आवश्यक है। मसलन सब से पहली बात यह है कि रजिस्टर्ड बौडीज जो नई कायम की जा रही हैं इनकी जरूरत है या नहीं है। मैंने अभी आपके सामने रक्खा कि ३२६ दरख्वास्तों में से खाली २३ दरख्वास्तें मंजूर हुई थीं यानी करीब करीब ३०३ दरख्वास्तें ऐसी थीं जो कि मंजूर होने लायक नहीं थीं। इनको बंद हो जाना चाहिए था लेकिन अब वह सब की सब बौडीज जितनी हैं यह सब असोसियेशंस् रजिस्टर्ड हो जायेंगी। कल के अखबारों में सट्टे वालों के लिए एक बड़ी भारी खुशखबरी होगी कि अभी तक जो आपको एक बड़ी भारी कठिनाई थी वह इस तरह से सहल कर दी है और यह बौडीज अंडर रजिस्ट्रेशन आकर अच्छे तरीके से काम करने लग जायेंगी इस पर बहुत गम्भीरता से विचार होना चाहिए और इसके लिए अगर यह बिल ज्वांएट कमेटी में चला जाय तो कोई नुकसान नहीं होगा।

इसी तरीके से बहुत सी दफात हैं जो कि देखने में आती हैं और जिनमें कि कई चीजें बिलकुल सरसरी तौर पर रक्खी गई हैं। दफा ४ में जहां कि इसकी परिभाषा दी गई है कि रेकेगनाइज्ड असोसियेशंस क्या हो सकती है वहां बहुत सारा हिस्सा दफा ६ का भी उसमें रख दिया गया है और बिला वजह परिभाषा बहुत लम्बी कर दी गई है।

इसी तरीके से दफा ५ में इन असोसियेशंस को अदालती अधिकार दिये गये हैं ताकि वे मुकद्दमात का फैसला कर सकें लेकिन यह नहीं साफ किया गया है कि वे मुकद्दमात कौन से हैं वह सारे ऐक्ट में पुराने या नये कहीं पर भी नहीं मालूम होते हैं। अब ऐसी ऐसे अदालती अधिकार इनको देने की कोई जरूरत थी या नहीं थी यह एक बहुत ही विचार की चीज है।

इसी तरीके से रेकेगनाइज्ड असोसियेशंस् को यह अधिकार दे दिये गये हैं कि वह कोई न कोई ऐसा कानून बना सकते हैं जिसका कि असर रिट्रौसपैक्टिवली हो सके। अब रिट्रौस्पैक्टिव करने का कानून बहुत सोच समझ कर बनाना चाहिए और ऐसे अख्तियारात बाईलाज बनाने का अधिकार एक दम से किसी भी असोसियेशन को देना यह एक अजीब चीज है और जिसकी कि वजह से बहुत बड़ा अन्याय हो सकता है। मुझे तो ऐसा दिखाई देता है कि सारी की सारी

दफात बड़ी ऊल जलल बनाई गई हैं और इन दफात पर और इन धाराओं पर बहुत ही गंभीरता पूर्वक विचार होना चाहिए और यह विचार विनिमय सेलेक्ट कमेटी में हो सकता है । इस लिए जो चीज श्री अजित प्रसाद जैन ने आपके सामने रक्खी है मैं भी उसका अनुमोदन करता हूँ और अगर यह बिल सेलेक्ट कमेटी में चला जाय तो कोई नुकसान होने वाला नहीं है । आपके ऐसा ऐक्ट के बन जाने के बाद भी मुझे तो इसका विश्वास है कि कलकत्ते में जो कहा जाता है कि जूट का बड़ी गड़ बड़ शुरू हो गयी है वह इस ऐक्ट के बनने से ही खत्म नहीं हो सकती हे । इन चन्द शब्दों के साथ मैं अपने भाषण को समाप्त करता हूँ ।

Mr. Speaker: Pandit Munishwar Dutt Upadhyay. Then I will call Shri Oza and then Shri Nathwani; also Shri Indrajit Gupta. We have allowed one hour for the clauses. There is no need for the third reading. Therefore, till 2·30 we will carry on with the clauses and dispose of the Bill. The general consideration of the Bill will go on till 1·30, because I find there are four more hon. Members who want to speak on this motion. We may take some 15 or 20 minutes more for the clauses.

I would also urge upon the hon. Ministers, not only in this case but in other cases as well, that whenever such matters come up, they may also pass on to the Lok Sabha Secretariat extracts from any opinions that they have received. I am sure that the Government gathers the opinions of various bodies in matters of this kind. Instead of allowing hon. Members to say what the producers and others have said, Government themselves may consult and circulate to hon. Members extracts from various opinions for and against. Generally, in respect of these matters, it is better to apprise the House of both the views, whatever decision Government may take ultimately.

Pandit Munishwar Dutt Upadhyay (Pratapgarh): Mr. Speaker, Sir, this Forward Contract Act has been working for about 8 years in our country. Although it is more or less a technical matter, and ordinarily people do not understand the intricacies of it, the subject-matter of this Bill before the House is much simpler an affair, because mostly I find that the provisions have been made for punishing the offences that are generally committed, about which there are complaints in the number of reports that we have received regarding the working of this Act. Before I proceed with the other provisions, I would like to say on the point whether the Bill is to be referred to a Select Committee or not, that, for these provisions, it is not necessary that we should have comprehensive consideration. Of course, if other amendments are to be brought in, that is a different matter.

Shri A. P. Jain: That is exactly what we want.

Pandit Munishwar Dutt Upadhyay: For the time being, urgency requires certain cases to be dealt with. There is no provision for deterrent punishment and such fines as have been imposed have been very small. On that account, there is no check upon the speculation of the persons who are committing irregularities and illegalities in the forward market. So, I would submit that it is proper to proceed with this Bill immediately and pass it. If other amendments are necessary, they might come later. After hearing the arguments of the Minister, I feel that with the immediate passing of this Bill irregularities and illegalities in the forward market may be checked to a certain extent although it is very difficult to remove them altogether.

The reports that we have been receiving regarding the working of the forward market disclosed a number of illegalities and irregularities which have been repeated almost every month. A number of cases are there but I find that the Commission has

[Pandit Munishwar Dutt Upadhyay]

been taking very little action against the defaulters. The reports disclose that the number of prosecutions was very small. Even the bye-laws were not framed till now. So, there was a default on the part of the Commission itself. Government should have taken proper care to see that bye-laws were framed, prosecutions were launched and that proper action was taken against the defaulters. But now they find themselves in a difficult position. The speculators have gone to the extent of committing offences hundred times, because they are fined only a few rupees.

If deterrent punishment is provided and if they are sent to prison for a few days or months there might be some check. The irregularities that have been generally reported were of *dawa* trading, kerb trading, etc. which are serious offences. Also, trading has been going on in the commodities which are prohibited and where no trading can take place. A suggestion was made just now that the provision may be charged altogether to the effect that in the case of those commodities in which trading outside is allowed and is not prohibited, they should not be prohibited; otherwise, all the rest of the commodities should be prohibited. If that amendment comes, it will be very comprehensive and it might cover the entire ground leaving a few commodities only. But so far as this Bill goes that is not the amendment before us.

The other complaint we have been receiving is regarding trading in options also. I do not know what provisions are there and whether they are good enough to control the market. There are some steps which are being taken now and if deterrent punishment is provided, it is likely that we might to a certain extent check the offences that are being committed in the market.

The provisions in this Bill which are very welcome are those for giving authority to police officers to search the premises of any firm for account books and other documents. As a matter of fact, in these transactions, no documents are available and matters are oral. There is no recorded evidence of it. Even if prosecution is launched, it is difficult to convict the accused. So, it is absolutely necessary that the police officers are authorised to seize some sort of account books which are kept in the offices so that there may be some documentary evidence of such offences.

The other difficulty is that the Commission has no power to call witnesses or examine them on oath. This provision has now been introduced and it might help to a certain extent.

Previously members of associations who were defaulters could not be suspended. Now the amending Bill provide that they can be suspended. This might have some check over them.

Registration of all the associations is being made compulsory. That is one thing by which some complete comprehensive record can be kept of all the associations and the defaulting associations may be brought to book.

The last thing is the provision for deterrent punishment for persons who are previous convicts. This provision is very essential. Objection was raised yesterday by Shri Morarka that for the second offence imprisonment is being made compulsory and that this should not be done. As a matter of fact, I may remind him that even under the Indian Penal Code for *'maarpeet'*—grievous hurt—under section 325, imprisonment is compulsory along with fine. So, it is not so bad. Of course, there is another provision where the presumption of guilt will be against the accused. This appears to be a little more serious. He has to prove the contrary. That is a difficult task. But considering the circumstances of the transaction—it is all oral and it is almost a chaotic condition prevailing in the forward market—I do not think that it is possible for the prosecution to prove any offence or guilt unless there is a provision like this. That is why I reconcile myself to it. Otherwise, this provision is, obviously, very pernicious and it should not be made. But under the circumstances prevailing in the forward market, we can accept it.

Yesterday Shri Nayar started by saying that this Act should be repealed altogether. I do not know what he means by it. Does he mean that wihtout the Act things will go on straight or does he want chaos in the market? He said in the IPC, Cr. P.C. and elsewhere there are provisions which can very well cover the offences committed in this market also. But how far are they effective? When a special enactment is made for the purpose of controlling these markets and still the market is not being controlled properly and the hon. Minister has to come forward with an amending Bill to have more powers for the Commission, I do not know how, in case the Act is repealed and we depend on the general law for punishment of offences that will be effective in the case of these markets.

Then he wanted the Bill to be circulated. As I said, there are very few people who understand the intricacies of the market and can give any opinion about it, and, that is, those very people who are participating in the market for speculation. They understand the working of the market and it is only they who may be able to give some opinion about it. The circulation of the Bill to the people in general or persons who know little about it will be of no avail. Therefore, circulation of the Bill is out of question. A Select Committee may be more appropriate for more comprehensive amendments and it might then be brought in. As regards repealing of the Act, that will only create a chaotic condition. Therefore, I submit that the Bill may be adopted, as it is, without any amendments.

Shri Oza (Zalawad): I can very well appreciate the feeling of several hon. Members who spoke before me about the priceline. I am only equally anxious that we have to see that the priceline is held at a proper level. Otherwise, as was rightly pointed out, our Third Plan on which we have stated so much will perhaps fail. But could we find fault with the Forward Markets Commission for the way in which it has functioned? I think we are laying the blame on wrong doors. I hold no brief for the Forward Markets Commission. But do we not know that the prices are going up and cannot be controlled because of the large money supply that has been injected into the community, because of the projects that we have undertaken which have long gestation periods, because production is not speeded up? Do we not know that because of these things priceline cannot be held. It does not mean that the Forward Markets Commission is not functioning well. I think it is not a correct line to take.

I know that forward marketing has been going on in this country for the last so many years. I remember even before 1950 there were so many places where so many markets functioned in a chaotic condition. For the first time in 1952 we tried to instil some discipline in these markets by bringing the Forward Contracts (Regulation) Act. That discipline has to be slowly and gradually instilled, I think; it cannot be imposed all of a sudden. We want the trading community to observe some traditions, some conduct and some mode of behaviour. We have to instil a sense of dicipline in this community which has been undertaking this forward trading for the last so many decades, as I have been saying.

If you see the operation of the Act and the manner in which the Commission had been functioning, by and large, you must say that it has done well. If you read the report of the Reserve Bank on "Currency and Finance" you will find that the Forward

[Shri Oza]

Markets Commission has taken appropriate steps in regard to certain commodities by imposing stiffer margin and by takinkg other steps whenever there was a need. Now the Reserve Bank has control over the whole fiscal and monetary pclicy of this country. Still, it has not been able to hold the priceline at all. It has got huge powers to impose selective controls on so many things. Still, we also know that, unfortunately, it has not worked as successfully as we desire. In the same way, the Commission has a very delicate and very arduous task to perform. It has to operate in a market where a large number of persons are operating. It has to ccunteract againts the steps which are taken by certain people to disturb the economy in a certain way, for linked with that are the fortunes of so many people who in most cases are middle class people and also producers. So, the Commission has to function very gigilantly. At the same time, the task it has to perform is very delicate. I have been feeling that by and large the Commission has functioned well and it has taken appropriate steps at the appropriate time. So, I have nothing but a feeling of satisfaction in the way in which it has operated up till now.

Shri Lal Bahadur Shastri: But the Commission itself feels that it should have a little more power.

Shri Oza: I am only too glad that you have brought this Bill, and I wish it should be passed as immediately as possible, because in view of the jute crisis that we are facing we want to arm the Government and the Commisison with whatever powers they want. We do not want them afterwards to give the excuse that for the lack of this power or that power they cannot control that particular commodity when it is required to be controlled. Therefore, I welcome this Bill.

I also welcome certain features of this Bill. For example, there is now prcvision for registration. Every association which indulges in forward trading shall have to be registered. It is a good thing, because so far there has been some confusion about trading and we did not know whether a particular type of transaction is permissible or not permissible. Now by this provision about registration I am sure they will be properly controlled. So, they will be benefited by this registration.. It will also consider the articles in which they are trading and see to it that their prices do not go up. That will also be the responsibility of the Commisison. So, I welcome this provision and I am sure that it will benefit the market also and we will make the work of the Commission on the whole a bit easy and successful.

Then, the Commisison is armed with extra powers to take strong steps against those persons who are recalcitrant. Coming to clause 20, they are giving powers to an ordinary magistrate to issue a warrant to seize documents. Any first class magistrate can be approached by any person who is operating in the market, and who is losing perhaps quite a good deal, for the issue of a warrant for the seizure of documents. That will disturb the whole market. Such a responsible work, in my opinion, cannot be entrusted to an ordinary first class magistrate. Therefore, I have moved an amendment that this work should be entrusted to a district magistrate. He knows the trading community and he can decide whether a party apprcaches him for a genuine grievance or he only wants to disturb the market. Because, taking such an action is a very serious matter. So, we should not entrust that work to an ordinary first class magistrate; we should entrust it to more responsible officers. Therefore, I have moved an amendment which, I hope, the hon. Minister will accept. I will come to that when we take up the clause by clause consideration.

Shri Nathwani (Sarath) I rise to welcome the Bill as it contains several wholesome provisions, though I would point out that it does contain a few provisions which are not satisfactory. The previous speaker very ably pointed out how there are several factors today which are operating in the country and how in those circumstances the priceline could not be stabilized and how it is not fair to blame the Forward Markets Commission for the failure to stabilise the prices. It was also stated that the Act has acted well. I do not agree with that. I am aware that if the Act or the Commission has not succeeded in regulating the market to the extent to which it was expected to function within the limited sphere available to it, the reason was that the powers that were going were not adequate, and that is the precise reason why added powers are sought to be given in this Bill.

But looking both at the contents as well as the manner in which these provisions are couched I did feel, and I do feel today, that it would have been better if this Bill could have been referred to the Select Committee, and I wish that a compromise had ben arrived at whereby the passage of the Bill would not have been delayed beyond the present session. But that is not to happen and we have to make the best of the situation.

13·30 hrs.

[SHRI HEDA *in the Chair*]

The existing provisions fell very far short of the requirements and that is why several additional powers are being conferred under the present Bill. Several hon. Members have enumerated them and have tried to show the reasonableness of the necessity of introducing those measures. Thus, reference was made to the provision for registration of associations. Also, a reference was made to increasing the activities of the Commission. Then under the Bill the contravention of the provisions of the bye-laws is made illegal. There is a difference between a contract being made void and it being made illegal because if you simply make a contract void the collateral transactions are not thereby affected, but if you once make it illegal, even those operations would be covered. For instance, a commmisison agent paying money or receiving monies under a void contract would be entitled to recover it from his principal or to pay the sum to his principal. But there are some provisions in the Bill which appear to me to be highly objectionable. I will point out some of them.

Take for instance clause 6 under which a new section, section 4A, is sought to be introduced. Under subsection (2) the Commission is being given power whereby the Commission can require any person, subject to privilege which may be claimed, to furnish information on such points or matters as, in the opinion of the Commission, may be useful for, or relevant to, any matter under consideration. In my opinion it would have been quite sufficient if information which was sought for by the Commission was to be useful or relevant to any matter under the consideration of the Commission. But here in the Bill it has been mentioned that whether it is useful or relevant is also to be decided by the Commission. . I cannot understand why this expression 'in this opinion of the Commission' has been introduced here. Of late we are becoming so fond of this expression that while conferring powers upon the executive we always say "if in the opinion of the Government or the particular authority concerned it is desirable or if he is satisfied". There may be circumstances to justify this subjective test, but here when you say that the information must be useful for or relevant to

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the matter under consideration, the matter should have stopped there. Why do you want to confer this further power, namely, of making the usefulness or relevancy of the matter a matter of opinion of the Commission? That is objectionable.

Then I come to clause 13. There we find that under new section 12B power has been given to the Commission not merely to close the transaction in the market......

Mr. Chairman: I may suggest to the hon. Member that he may take that up at the time of consideration of the particular clause.

Shri Nathwani: I am thankful to you, but I may not take the time of the House at that time. I am merely pointing out how in several respects the Bill is defective. If the matter had been referred to the Select Committee, such defects could have easily been cured. Now that there is no time for that, I am trying to point them out.

I was trying to point out that the power of the Commisison to close the individual transaction is objectionable. In my opinion even if such a power were to be conferred......

Shri A. P. Jain: It exists under the present law.

Shri Nathwani: No, not of closing the transaction of an individual member. I will be thankful to the hon. Member if he points out that power. I can understand the general power under which in regard to an emergency having arisen the Commisison has the power to stop the business altogether and close the outstanding transactions at a particular rate; it does not operate to the prejudice of any particular person. This may savour of discrimination. Therefore, a suggestion was made that if at all Government is to exercise this power or if at all such a power has to be conferred on the Commisison, such a power should be used in consultation or after consultation with the board of that association.

I come now to the provisions contained in clauses 17, 18 and 19. I am afraid that they are expressed in wide terms. For instance, I am taking new section 20, sub-section (ii) which says that any person who—

> "fails to furnish any return, statement or other document or any information or to answer any question or to comply with any requisition made under this Act......"

You have to see that if he fails to furnish any return or to give information or to answer any question, it does not go with something which is sought under the Act. So the Commission can ask any question it likes. I know that is not the intention. That is not what is sought to be done. But the intention is to be gathered from the words used. If you express your intention in very wide terms, it is liable to be abused. Sometimes such things do occur. Therefore it is highly necessary to express your intention in words not too wide or too narrow to give expression to that intention. I am merely pointing out one further instance of how the language used is rather loose. It required to be checked up, otherwise it opens the doors too wide for arbitrariness or capriciousness on the part of those who have to govern it.

Lastly, I do feel that the minimum punishment of imprisonment of one month is uncalled for, particularly so when, as I pointed out, in the preceding portion of section 20 you say that failure to answer any question or to give any information which is called for is also penal. Therefore even for such technical offences within the four corners of the law it is possible to have more than one punishment and in such cases to inflict a month's punishment in any event is not at all justified. It is not at all called for. This discretion should have been left to the courts because both things are sought to be imposed, namely, imprisonment as well as fine. What should be the period of imprisonment should have been left to the discretion of the court and it should not have been made one month as has been done here.

Before I sit down I want to point out one serious flaw in this Bill. We have made provisions in the existing Act that contravention of certain bye-laws will render the contract void. Now we have gone a step further. We have made such contravention illegal which is punishable also. But one thing which should have been done has not been done, namely, the bye-laws on the rules and regulations of that association must specify that the contravention of certain bye-laws shall render the contract either void or illegal. In the absence of such a specific provision in the bye-laws themselves the contract is neither void nor illegal and the merchants can drive a coach and four through the entire Act under the whole set of rules or bye-laws. I have come across such lacunae in several sets of bye-laws in Bombay. The idea under the Act is this that there should be two sets of bye-laws. One is bye-laws which go to the form or the making of the contract and the manner in which it is to be made. These are considered vital and essential bye-laws. The idea was that their contravention should entail the consequence of the contract being rendered void. There may be other bye-laws, not so important. They may be of an administrative or routine nature. Therefore, it was not thought fit to render a contract which did not comply with them as void. That is why this distinction was sought to be made. That is why power was given to the Association itself to specify those bye-laws the contravention of which would have this particular result. You are saying that contravention would make it either void or illegal. If the Associations themselves do not specify, I ask this question, what is the effect? It has happened and it is happening, I know from my personal experience. Even the Indian Cotton Association did not provide. I do not know the present position. There are other Associations; there is the Oilseeds Association, none of which provided that the contravention of the vital bye-laws would render the contract void. It is not for the first time that I am drawing pointed attention to this. Pointed attention was drawn to this lacuna by me at the time of the passing of this Bill 1956. With the result that, as things stand,—they will stand even after the passing of this Bill,—if the Association does not include this particular item—they do not do so advisedly, deliberately, this consequence of rendering contracts void or illegal would not come about. That is all I have to say.

Shri Kanungo: Sir, I am at a disadvantage because I have a severe limitation of time because the hon. Speaker has directed that we must have at least one hour for discussion clause by clause. I will not go into the academical problems which were posed ably by Shri V. P. Nayar. I have no time to go into them; nor have I the capacity. Just I have to point out that all the arguments are almost cancelled by my friend Shri Warior who brought before the House a telling example where the forward market is a cushioning organisation where violent fluctuations of prices are prevented. Shri Warior brought to the notice of the House yesterday that at a certain given time, the price of rubber dropped down from Rs. 3 to one anna or something like that and the drop was not abrupt, not precipitate but step by step, thanks to the mechanism of forward contracts.

The other fundamental objection which has been raised by Shri A. P. Jain whose experience in these matters is perhaps much more wide spread than at least mine, is that the

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structure of the Act should be such that only those commodities which are permitted under section 15 should be traded upon and not the rest. I would humbly submit that even with the Act as it is, it is possible to do that because, today forty items, mostly foodgrains, are prohibited under section 17. There is nothing to prevent bringing in one thousand and one commodities under section 17. The only limitation is, you do not have the staff, you do not have the mechanism to enforce this law. I will give you a small example. Take the case of bullion. Forward trading in bullion is permitted under section 15 in Bombay. But the area prescribed is Greater Bombay, though it is a fact that trading in gold goes on widely. Unfortunately, historically this *tezimandi* business has been going on for not only 50 years, but perhaps for centuries. It is for the first time since 1950 that some sort of regulation has been attempted in this. This Bill is not intended to, I would humbly submit, is not capable of holding the price line or preventing fluctuations as such. All it claims to do is that at one corner, in one way, it can minimise the effects of sharp fluctuations. Holding the price line will require various attacks from many directions. This particular provision of law still is very necessary. But, it is a part of it only. When applied in conjunction with other measures, it is likely to give results.

As far as the Bill is concerned, it does make serious changes. They are not in consequential changes, changes which, judging from the speeches which I have heard yesterday and today, are considered by the Members to be very necessary. The original Bill was designed with the intention that the regulatory functions would be exercised by the Associations themselves. In fact, the Government was not armed with any powers and deliberately so. Reading the debates of that time, it will be seen that the hon. Minister who was piloting the Bill at that time expressly said that powers are not being taken because the scheme of the Bill was that the executive committees of the recognised Associations will regulate themselves. Unfortunately, that anticipation has not been fulfilled. Therefore, we are trying to take certain powers which are necessary. But, we are not taking the whole regulation of it. Even today, these powers which are taken are concurrent powers. We have not taken overriding powers. These are concurrent powers in the sense that where the Associations fail to take action, the Commission is empowered to take those actions.

Broadly speaking, the more drastic power which is being taken is as Pandit Munishwar Dutt Upadhya pointed out, which is certainly a little obnoxious to the sense of all jurists—is to cast the burden of proof upon the accused to prove his innocence. In this type of cases, there is no other way. I would not take the time of the House. I will just mention that there are more than half a dozen enactments of this House in which this onus has been shifted from the prosecution to the accused, some of them being the Foreign Exchange (Regulation) Act, Banking Companies Act, Essential Supplies Act, the Bombay Prohibition Act, Prevention of Corruption Act, and the Sea Customs Act. Because, from the very nature of them, the onus of proof cannot be discharged fully.

One of the powers which have been taken under this Bill is that documents could be seized now with the permission of a first class magistrate. Here, I would refer to Shri Oza's point. I appreciate very much that it should not be done by all magistrates. I would have been willing to consider his point, but I feel that off hand I would not be able to do so. I feel that the organisational set-up today is such that the district magistrate is just one person in whom two functions are combined. The power which has to be exercised by him here is a judicial power which is exercisable **by all first class magistrates.** A district magistrate is, after all, a first class magistrate; he is not lower in rank a first class magistrate. In any case, it will be open to the district magistrate administratively to designate such officer and such magistrate in the district as can hear such types of cases.

Shri Oza: I think my hon. friend is under a misapprehension. That would not be possible. Any person can approach any first class magistrate and procure a warrant, and that would disturb the whole market. Very wide powers are being given.

Shri Kanungo: That is in line with the various Acts to which I have made a reference. In the Companies Act, it is provided like that.

Shri A. C. Guha: (Barasat): Similar provisions have been laid down in various other Acts; a first class magistrate can issue a warrant of search.

Shri Kanungo: An officer is empowered with the powers of a first class magistrate generally after a lot of trial and experience. He is expected to be a man of judgment. Therefore, he has been given the powers of a first class magistrate. This power to search documents and seize them has been provided for in many other Acts, and recently in the Companies Act also, we have provided for that.

The other provision which I think will be very useful is the one in regard to documents. So far, they have had to be provide under the Evidence Act, but generally the members of the association or the officers of the association or others have been reluctant to go into the witness-box and prove the documents, with the result that though the documents contained valuable material, they could not be proved under the Evidence Act. In the Gambling Act, and also in the Bankers' Act, it has been provided that documents *ipso facto* will be taken as evidence, and that is what is being done in this amending Bill also. This will go a long way in proving offence which so far it has been difficult to prove.

Mention was made yesterday about the work of the commission in prosecuting 110 persons in Calcutta. The result, unfortunately, was that after two years of trial almost the maximum punishment awarded was just a fine of Rs. 30. I do not blame the judiciary. I do not blame anybody for that. But conditions being what they are, it is difficult to appreciate what type of offences are, as Shri Morarka has called, technical offences or commercial offences. There can be technical breaches of the law, and the magistrates, and the prosecuting agency, that is, the investigating agency, have got to bear this in mind fully. Here, I can assure my hon. friend that where these powers are used, they will be used judiciously, and we shall try to write it out in executive instructions or maybe, anywhere else also; I do not know how it can be done, but it will be laid down somewhere that the powers should be used judiciously and not for vexatious purposes. This will cover the drastic power which we are taking; as was rightly pointed out by my hon. friend Shri Morarka and another hon. Member, the power of the commission to suspend any member from operating in the market is certainly a drastic power. When the main Act was before this House, it was anticipated that the board of directors, being responsible businessmen and being the custodians of the reputation of the trade, and the members of the community would exercise some disciplinary powers, but, unfortunately, that has not happened. It is not the particular fault of our citizens in India. Similar situations had arisen in the U.S.A. also, because I find from the law of USA that their regulating authority also has the power to suspend individual members. When an individual member is

[Shri Kanungo]

suspended, as Shri Morarka has rightly pointed out, the questions of closing the contract comes in. It is inevitable. The point is how it has to be closed. If conditions were normal, one could think of it, but from the very nature of these operations, these powers will be brought into force when there are rather abnormal conditions. The only assurance that I can give is this that we shall again lay it down in executive instructions and provide otherwise also if possible, that in normal circumstances, a certain procedure should be followed so that people could know how the closing is to be done; in exceptional circumstances, Shri Morarka will agree with me, no one can predict what will happen.

Again, as regards the urgency of this Bill, about which some Members have been doubtful, I am glad that my task has been lightened by many hon. Members who have spoken and who have also said that this Bill is very urgent.

We are also making it an offence to manipulate prices or to publish or circulate information relating to kerb trade. This is the first time that we are trying to prevent what can be called unauthorised trading. Unfortunately, kerb trade has been a bad thing everywhere. I am told that in the USA, it was so bad that millions and billions of dollars were wasted, and simple innocent citizens were being cheated by the so-called 'bucket-shops'. Not merely by one Act, but by various economic and social factors, that evil has been more or less eradicated there, I am told, somewhere about 1930. Here, for the first time, we are taking power to make it illegal, and for the first time, we are taking powers to differentiate or to make a sharp distinction in the twilight, between legitimate trade and illegitimate trade. It will depend not only upon the vigilance of the commission but also on the alertness of the law-enforcing authorities in the various States. The work of the commissioin will be a long one, because the commission will have to persuade the law-enforcing authorities in the States to understand the implications of these acts, that is, the social implications of these acts, and act with promptitude and firmness. Here again, I listened with great interest to the suggestion of Shri A. C. Guha who comes from Calcutta and who rightly pointed out the state of affairs in the Calcutta market and saved my time and energy, because I could not have put it better. Shri A. C. Guha suggested that we should try to set up central prosecuting and investigating agencies. With all respect to him, I would submit that the very structure of our Constitution is different. Though it may be slow and irksome for some time, we must carry the States with us in the policies which we decide upon in India, because India is a conglomeration of States. It is not a unitary State. One State cannot be left behind; we cannot progress further in that way. Lately—in the last few months—the prosecuting agencies in one State at least—I am referring to Bombay—have been very alert and by their alert action they have been able to prosecute guilty persons, which has had a deterrent effect on the erring sections of the community. I hope the investigating and law-enforcing agencies in Calcutta and other States will gradually become alert to it.

14 hrs.

The other point which was made is about the power of the Commission to summon persons, for which powers have been conferred on the Commission under the Civil Procedure Code. This is a common provision in several other pieces of legislation also. Without it, the Commission has not got the power to summon anybody or ask him to produce documents and so on. Shri Nathwani mentioned about it. This is the usual provision that is made.

Shri Nathwani: My objection was not to those powers but to putting questions which may not be germane to the inquiry.

Shri Kanungo: As regards the phraseology, I was told that this was the only phraseology by which you gain your objective. At any rate, as you will see from clause 4, we can trust that the members of the Commission will exercise their responsibilities with judiciousness. But such powers are necessary, because apart from the members of an association, whether recognised or registered, the members will have ramifications with other clients and their books and records have got to be looked into under certain circumstances.

As my time is running fast, I will not take any more time to comment upon the various valuable suggestions and comments made. I hope that by the passage of this Bill . . .

An. Hon. Member: Nothing will happen.

Shri Kanungo: I am not so pessimistic as my hon. friend. I hope with the passage of this Bill, at least the grosser forms of this malady will be eradicated.

Shri A. C. Guha: In the existing Act, there is a section for making bye-laws by the Government. But there is no provision saying that those bye-laws should be placed on the Table of the House. In all other enactments, that is the provision. Unless those bye-laws are placed on the Table of the House, I think Parliament's control over delegated legislation will not be complete.

Shri Kanungo: There is an amendment to that effect by Shri Ajit Singh Sarhadi. Therefore, I do not refer to that.

Shri A. C. Guha: The annual report is also not placed on the Table. This is a very important Commission. If the annual report is not placed on the Table, it will be very difficult for the House to get seized of the report and to have a debate thereon. So I think the Minister should declare that that report will be placed on the Table.

Shri Kanungo: I will seek the direction of the Speaker about that, because the printing of 2000 copies of the report is rather expensive. Even today we place sufficient number of copies of the report in the Library. But as regards the suggestion of the hon. Member, I will communicate with the hon. Speaker and get his directions.

Shri A. C. Guha: My suggestion is not that all the Members should get it. But whatever number of copies may be supplied to the Library, first those copies should be placed on the Table.

Shri Kanungo: If it is placed on the Table, it means that it should be circulated to every hon. Member.

Shri Naushir Bharucha: Not necessarily.

Shri Warior: Even as regards placing copies in the Library, the latest report we have in the Library is of 1958.

Shri Kanungo: I must appologise for that. I forgot to mention about it. I am sorry that the report for 1959 was delayed. Whatever be the reason—I can say frankly that the delay in printing—I will take care to see that the report of the Commission is available to hon. Members as quickly as possible.

Shri A. C. Guha: And placed on the Table of the House also.

Mr. Chairman: There is a motion for circulation of the Bill moved by Shri V. P. Nayar. That has to be disposed of first.

An. Hon. Member: But Shri V. P. Nayar is not here.

Shri Warior: It stands in my name also. But I do not press it.

Mr. Chairman: There is one technical difficulty. The amendment was moved by Shri V. P. Nayar alone. So I will have to put it to the House.

The question is:

> "That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1961". (19)

The motion was negatived.

Mr. Chairman: The question is:

> "That the Bill further to amend the Forward Contract (Regulation) Act, 1952, be taken into consideration".

The motion was adopted.

Mr. Chairman: There are no amendments to clauses 2 and 3. The question is:

> "That clauses 2 and 3 stand part of the Bill".

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4—(*Amendment of section 3*)

Shri Warior: I beg to move:

Page 2, line 11,—

add at the end—

> "and have no connection direct or indirect with anyone in the trade". (13)

Hhere it is provided that the members to be appointed shall be persons of ability, integrity etc., etc. The qualifications as given here are very vague, as for example:

> "relating to commerce or commodity markets, or in administration or who have special knowledge or practical experience in any matter which renders them suitable for appointment on the Commission".

But one specific thing is that these persons must be at least above suspicion, and they should not have any connection with any of these trading houses or persons. If they have some such connection, they will not be entitled or qualified for appointment on the Commission. I say this because on this Commission hinges the entire work of supervision, vigilance and action against the malpractices going on in these markets. Hence it is very necessary that at least the personnel of the Commission should be above suspicion. This amendment is to that end and I hope the Minister will have no objection to accepting it.

Shri Kanungo: The point made out by my hon. friend is, I should say, elementary and this provision need not necessarily be written into it. The clause as it stands provides for administrative experience. The negative qualification that Shri Warior has suggested is so elementary that we are not going to appoint anybody who has got direct connections with the trade. If at all anybody is chosen by Government, they must be sure that he is not so connected.

Mr. Chairman: I shall put amendment No. 13 to the vote of the House.

The Amendment No. 13 was put and negatived.

Mr. Chairman: The question is:

> "That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5— (*Amendment of section 4*)

Shri Warior: Sir, I move my amendment No. 14:

Page 2, line 21,—

after 'such association' *insert*—

> 'or of any person who is suspected to be in the trade although not a member of any recognised or registered associations." (14)

I have not much to explain. It is well-known that not only persons connected with the associations but even outsiders are entering into this trade at times and they are resorting to benami transactions, while at the same time they are remaining outside the ring. These persons should be brought under the mischief of this clause so that the Government can take proper action against them. As at present, the Government will not be empowered to take any action against them.

Shri Kanungo: If somebody is an accessory or is in abetment and if there is evidence, he can be prosecuted. The whole problem is this. Even today we are not able to find enough evidence. I believe, Sir, that with experience it will be possible to handle that type of persons whom Shri Warrior has in mind.

Shri Warior: Why should we wait?

Mr. Chairman: I shall put amendment No. 14 to the vote of the House.

Amendment No. 14 was put and negatived.

Mr. Chairman: The question is:

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 was added to the Bill.

Mr. Chairman: Is Shri Patel moving his amendment to clause 7? He is not present. Then, I shall put clause 7 to the vote of the House. The question is:

"That Clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clauses 8 to 12 were added to the Bill.

Clause 13— (*Insertion of new sections 12A and 12B*).

Shri Kanungo: Sir, I beg to move:

Page 6,—

for lines 11 *and* 12, *substitute*—

"and such period may be extended from time to time but so as not to exceed three years in the aggregate." (9)

The clause as it is worded is rather ambiguous in the sense that the suspension order may be for three years in aggregate but extension is not provided for. It is merely to obviate it that I have moved this amendment.

Mr. Chairman: The question is:

Page 6,—

for lines 11 *and* 12, *substitute*—

"and such period may be extended from time to time but so as not to exceed three years in the aggregate." (9)

The motion was adopted.

Mr. Chairman: The question is:

"That Clause 13, as amended, stand part of the Bill."

The motion was adopted.

Clauses 13, as amended, was added to the Bill

Clause 14— *Insertion of new Chapter IIIA*)

Shri Kanungo: I beg to move:

Page 7,—

for lines 23 *and* 24, *substitute*—

'(ii) the words "two years" for the words "three years" in sub-section (2) of section 12B.' (10)

It is merely to bring it in line with the other provisions of the Bill.

Shri Naushir Bharucha: But it does not read well. You want it to be reduced to two years. The correct way would be to delete sub-clause (2).

Shri Kanungo: No, Sir.

Mr. Chairman: It virtually means the deletion of the clause.

Shri Kanungo: It will be brought into line with the other provisions: it has got its repurcussions on the sections of the Act also.

Mr. Chairman: I will put the amendment to the vote of the House.

Shri Tangamani (Madurai): Sir, We want to have the clarifications about this amendment. Shri Bharucha has pointed out that they may do away with this amendment.

Shri Kanungo: It is in line with the other sections.

Mr. Chairman: The question is:

Page 7,—

for lines 23 and 24, *substitute*—

'(ii) the words "two years" for the words "three years" in sub-section (2) of section 12B.' (10)

The motion was adopted.

Mr. Chairman: The question is:

"That clause 14, as amended, stand part of the Bill."

The motion was adopted.

Clause 14, *as amended, was added to the Bill.*

Clauses 15 *and* 16 *were added to the Bill.*

Clause 17—(*Substitution of new section for section* 20).

Shri Kanungo: Sir, I beg to move:

Page 9, line 2,—

for 'reasons" *substitute* "and adequate reasons." (11)

It is only a drafting change . . (*Interruptions*)

Shri Warior: Is it contended that special reasons will not be adequate? What is the difference? . . .(*Interruptions*).

Shri Kanungo: Actually this amendment makes it more severe because adequate reasons must be to justify the sentence.

Shri Jaganatha Rao (Koraput): 'Special reasons' that term is there.

Shri Kanungo: I am advised by the draf sman that this will make it more effective.

Mr. Chairman: I will put it to the vote of the House. The question is:

Page 9, line 2,—

for "reasons" *substitute* "and adequate reasons" (11)

The motion was adopted.

Shri Warior: Sir, I have three amendments to clause 17. I beg to move:

(1) Page 8, line 32,—

for "one year" *substitute* "two years". (15)

(ii) Page 8, line 37,—

for "one year" *substitute* "three years". (16)

(iii) Page 9, line 3,—

for "one month" *substitute* "one year". (17)

These are meant to enhance the punishment. I recommend the acceptance of these amendments for the same reason which Shri Morarka took 15 minutes yesterday to explain. If we consider that it is one of the most dangerous things in our economy today, we will realise how necessary to curb it even at the first instance. So, we must provide for deterrent punishment.

The activities are not only anti-social these are anti national. These are subverting the entire economy to a certain extent. So, the punishment should be enhanced from one year to two years according to my first amendment No. 15 and from one year to three years for the second offence according to my second amendment. In my 17th amendment, I have said that the punishment should be enhanced from one month to one year. So, deterrent punishments should be given as suggested by me. With regard to this clause Shri Moraka pointed out that it should not be made compulsory and the judges should not be compelled to pass a sentence of imprisonment. I will quote the instance of smugglers. There are many gold smugglers in Kozhikode and other places who say that they are prepared to pay a fine of lakhs of rupees but they are not prepared to undergo a day of imprisonment. What they fear is imprisonment.

Shri Kanungo: Does anybody fear imprisonment in Kerala?

Shri Warior: There are smugglers not only in Kerala but in other States also. What they say is that they would prefer giving any amount as fine rather than undergo a day of imprisonment because a day in jail will mean a greater loss to them. They can manipulate and get a bigger amount in that one day. Therefore, it must be a deterent punishment if the Government is anxious to do something to curb these manipulation.

Mr. Chairman: What about his amendment No. 18?

Shri Warior: Sir, I beg to move:

Page 9,—

after line 4, *add*—

"(2) Every offence under this Act shall be deemed to be a cognizable offence as defined in the Code of Criminal Procedure, 1898." (18).

Sir, I have nothing much to add. I only want to say that if this is also brought under the purview of cognizable offence then it will be very easy for the prosecution to launch prosecution and bring the culprits to book.

Shri Kanungo: As far as amendment No. 18 which has been just moved is concerned, I would like to say that my amendment No. 12 seeking to introduce New Clause No. 20A, which I will move at the appropriate time, will take care of making certain offences cognizable and certain other offences non-cognizable.

With regard to the other amendments which he has suggested seeking to provide for higher punishments, I only want to say that we have proposed deterrent punishments but we do not want to provide for savage punishments.

14.22 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Mr. Deputy-Speaker: I shall put the amendments togther.

Amendments Nos. 15, 16, 17 *and* 18 *were put and negatived.*

Mr. Deputy-Speaker: The question is:

"That clause 17, as amended, stand part of the Bill."

The motion was adopted.

Clause 17, *as amended, was added to* the Bill.

Clauses 18 *and* 19 *were added to the* Bill.

Clause 20—*(Insertion of new sections* 22A *and* 22B)

Shri Oza: Sir, I beg to move:

Page 10, lines 3 and 4,—

for "a magistrate of the first class" *substitute* "a district magistrate" (21)

[Shri Oza]

Sir, I shall point out the point behind this amendment. We know that the functioning of forward market is too intricate and complicated that we should not give such wide powers to an ordinary first-class magistrate. As I ponted out earlier, a man who is operating in the market and who is losing may approach an ordinary first class magistrate saying that a particular transaction is in contravention of the Act. For an ordinary magistrate to be satisfied about it he would be enitled to issue warrants to seize all documens. The whole market would then be at a stand still and such persons will benefit out of such a situation. Therefore, I was going to request the hon. Minister to accept the position that such powers should not be given to an ordinary first class magistrate. A district magistrate in charge of the whole district will know what markets are functioning in a particular area. who are all the persons who are to be relied upon and at whose instance documents are to be seized. It will disturb the economy of the district in a way. He said: "first class magistrate specially empowered." That is not the provision in this Bill. Then he should add "specially empowered." In the absence of those words, obviously any first class magistrate can be approached by any aggrieved party in a bargain. I would therefore make a serious request to the hon. Minister—in a way it is a warning to the department also—that he should not take lighly in these matters as otherwise the results would be disastrous.

Shri Jaganatha Rao: Sir, the amendment sought to be moved by my hon. friend makes little difference. He wants that for the words "magistrate of the first class" the words "a district magistrate" may be substituted. A district magistrate may also be a first class magistrate.

Shri Oza: I know that.

Shri Narasimhan (Krishnagiri): But can all first class magistrates be district magistrates?

All district magistrates are first class magistrates under the Criminal Procedure Code. Therefore, it makes little difference whether the powers are vested with first class magistrates or district magistrates unless it is specifically said that the jurisdiction is vested in the district magistrate alone. Therefore, I see no reason why we should no allow the clause to remain as it is, because it does not make any difference if you do not make the change and retain the words "magistrate of the first class."

Shri Kanungo: Sir, I realise the apprehensions of the hon. Member whether any odd person can do something like that. The only insurance is that a magistrate of the first class would have sufficient judicial experience not to let him have this type of chicanery. Apart from that, these powers are for search and discovery of documents. Who will be interested in them except the Forward Markets Commission. So the complainant who will ask for invoking these powers will be the Forward Markets Commission and that too through the police. Therefore, there is ample safeguard for that, and the apprehensions of my hon. friend are not so apprehensive as he thinks.

Mr. Deputy-Speaker: I shall put the amendment to the vote of the House.

Amendment No. 21 was put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 20 stand part of the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

New Clause 20 A

Shri Kanungo: It is a consequential amendment.

Mr. Deputy-Speaker: But I am advised that this is beyond the scope of the Bill.

Shri Kanungo: It might look so, but it is a consequential amendment in the sense that in the main Act section 20 had sub-section (1) which is no longer there. So it is a consequential amendment. But taking this opportunity I am trying to differentiate a little in the sense that certain offences are being de-classed as cognizable offences. This is inevitable because this has got to be dropped, Sir, I beg to move:

Page 10,—

after line 31, *insert—*

> "20A. *Amendment of section* 23.—In section 23 of the principal Act, for the expression "any offence punishable under sub-section (1) of section 20 or section 21 shall be deemed to be a cognizable offence within the meaning of that Code," the following expression shall be substituted, namely:—
>
> "the following offences shall be deemed to be cognizable within the meaning of that Code, namely:—
>
> (a) an offence falling under sub-clause (ii) of clause (a) of section 20 in so far as it relates to the failure to comply with any requisition made under sub-section (3) of section 8;
>
> (b) an offence falling under clause (d) of section 20;
>
> (c) an offence falling under clause (e) of section 20 other than a contravention of the provisions of sub-section (3A) or sub-section (4) of section 15;
>
> (d) an offence falling under section 21." (12)

Mr. Deputy-Speaker: I could not exactly follow the hon. Minister. Is it the same pharseology that is being used here?

Shri Kanungo: Sub-section (1) of section 23 of the main Act says:

> "Notwithstanding anything contained in the Code of Criminal Procedure any offence punishable under sub-section (1) of section 20 or section 21 shall be deemed to be a cognizable offence."

In the Bill that is before us there is no sub-section (1) to section 20.

Therefore it is a consequential amendment which is inevitable. I am also taking this opportunity to reduce the rigour of some of the sections.

Mr. Deputy-Speaker: The objective is quite a noble one—nobody disputes that. Whether it is permissible is the question.

Shri Kanungo: I would urge that permission may be given.

Mr. Deputy-Speaker: I will then put it to the House.

The question is:

Page -0,—

after line 31, *insert—*

> "20A. *Amendment of Section* 23.—In Section 23 of the principal Act, for the expression "any offence punishable under sub-section (1) of section 20 or section 21 shall be deemed to be a cognisable offence within the meaning of that Code," the following expression shall be substituted, namely:—
>
> "the following offences shall be deemed to be organizable within the meaning of that Code, namely:—
>
> (a) an offence falling under sub-clause (ii) of clause (a) of section 20 in so far as it relates to the failure to comply

[Mr. Deputy-Speaker]

with any requisition made under sub-section (3) of section 8;

(b) an offence falling under clause (d) of section 20;

(c) an offence falling under clause (a) of section 20 other than a contravention of the provisions of sub-section 3(A) or sub-section (4) of section 15;

(d) an offence falling under section 21." (12)

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That new clause 20A stand part of the Bill"

The motion was adopted.

New Clause 20A was added to the Bill.

Clauses 21, 22 and 1, the Enacting Formula and the Long Title were added to the Bill.

Shri Kanungo: Sir, I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

14.33 hrs.

ARREST OF MEMBER

Mr. Deputy-Speaker: I have to inform the House that the Speaker has received the following letter dated the 5th December 1960 from the Additional District Magistrate, 24-Parganas:—

> "I am to inform you that the accused appellant, Shri Kansari Halder, Member, Lok Sabha, has surrendered to his bail and has been re-committed to the Alipore Central Jail on this day, the 5th December 1960."

Mr. Deputy-Speaker: Bills to be introduced: Shri Menon—Absent. Shri Tangamani.

14.34 hrs.

DELHI RENT CONTROL (AMENDMENT) BILL*

Shri Tangamani (Madurai): Sir, I beg to move for leave to introduce a Bill to amend the Delhi Rent Control Act, 1958.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to amend the Delhi Rent Control Act, 1958."

The motion was adopted.

Shri Tangamani: Sir, I introduced the Bill.

14.35 hrs.

ABOLITION OF EMPLOYMENT OF CASUAL LABOUR BILL—*contd.*

Mr. Deputy-Speaker: The House will resume further consideration of the following motion moved by Shri Aurobindo Ghosal on the 25th November, 1960:

> "That the Bill to provide for abolition of the system of employing casual labour in the employments of permanent character be taken into consideration."

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*Published in the Gazette of India Extraordinary Part II-Section 2, dated 9.12.60.

Out of two hours allotted for the discussion of the Bill one hour and three minutes have already been taken on the 25th November and fifty-seven minutes are now available. Shri Warior may continue his speech.

Shri Warior (Trichur): Sir, I was the other day discussing the problem of dockyard labour, especially in ports which have not got port trusts established. There are certain ports which from the very fact that they have been declared major ports will have to be brought under the purview of the Port Trusts Act. But certain major ports are still kept as intermediate ports. Such, for instance, is the position in Cochin. But I do not wish to dilate upon that point any more.

One of the major problems that this country will have to face in the near future is the problem of casual labour employed in most of our construction works. They are workers of a highly technical nature, as for example those at Bhilai and Bhakra-Nangal. These are workers who have got skilled experience for the last three to five or even seven years and more. In Bhakra-Nangal when I went there, I was told there were about twelve thousand workers there. Out of these twelve thousand who have mostly come from suburban and rural areas, at least ten thousand or more skilled hands, not in the ordinary sense of the term, but skilled in handling the most up-to-date American machinery at the Project.

The Deputy Minister of Labour (Shri Abid Ali): Ten thousand workers killed?

Shri Warior: Skilled. You want to kill? Then the problem is over for you. I mean skilled.

These workers, I am told, are handling the most up-to-date machinery. At the beginning stage of the construction at Bhakra-Nangal the American engineers were not very much for recruiting our Indian workers for handling this machinery. They were not confident enough that our workers would be able to handle this machinery. But our engineers resisted that temptation to import American engineers ino this country. Finally our boys proved themselves capable of handling the job and they have been operating this machinery. It would be a national waste if these people who have gained so much experience in actual working, in the practical field, are left alone to go back to their old avocations, to return to the rural areas to till the land. It would be a national waste, because the services of these workers are necessary for other construction works.

In our country there is an enlargement of activities in the construction field, and ever so many workers have to be recruited. In such a situation if trained personnel are going to be retrenched, it will be the biggest loss for this country. The other day an adjournment motion was moved by my hon. friend Mr. Banerjee regarding the retrenchment of about eighteen thousand construction workers at Bhilai. We bring these matters to the notice of the House because of our experience of the Hirakud Dam. In Hirakud project all the casual workers were retrenched, although they had worked at the project for a number of years. In Bhilai, it was reported in the Press recently, and I want the Minister to belie these apprehensions, that about one thousand graduate and undergraduate engineers would be axed soon. It was also said that a number of fitters, masons, grinders, crane drivers, moulders, wiremen, refrigeration mechanics, pattern makers, plumbers, armature winders, gas welders, blacksmiths, drillers, riggers, etc., etc., all will be retrenched. For a person to get training in these mechanical works, it takes two to three years. We are sending our boys to the technical institutions to get them trained. Fortunately for this country, thousands and thousands of persons have been trained in the most up-to-date mechanical erections. Unless we find out some ways and

[Shri Warior]

means to utilise these persons there is no way of escaping from this national waste. I understand that many more plants are going to be erected. In Bhilai the capacity is going to be increased. Why can't these expansion schemes be started earlier? I discussed this problem in Bhilai with the Chief Engineer, along with other hon. Members of Parliament who visited that factory. We were told by the engineers, both Indian and Soviet, that this can be done and this is done in all the developing countries. What is done is, not always to recruit raw hands from the field, though of course, manpower is plentiful in India. But then we should not misuse the training. Simply because there are lakhs and crores of people who are unemployed in this country, it does not mean that they can all be recruited just like cattle and then put in new jobs, because, by doing so, the national waste is increased. That should not be the pattern of organisation. The pattern of organisation must be, whatever is already available in our hands must be absorbed and the number enhanced, and they must be protected and utilised for the best interests of the developing economy of our country.

This was the case not only there but in all the construction sites. We were told that it has become a problem. It is not to be approached as a problem of the labourers and workmen. If that approach is made, of course, as the Minister said just now, some of them have died—there are many who have been killed and there have been many martyrs who have died in the cause of our country and in various fields. There are martyrs and martyrs. But that is not the approach. The approach must be made in a manner which is to the interests of the developing economy. In that sense, this problem must be tackled by the Government, and it should be tackled not only by the Labour Ministry but by all the other Ministries. They must all combine, put their heads together and find out away. It is not to be viewed as a case of casual workers technically or legally. They have been casual workers for four or five years.

I shall bring to your notice one of the recent happenings in this connection. There were the Coffee Board workers. You know they were retrenched. They were retrenched after 16 to 17 years of service on the recommendation of somebody sitting higher up. Perhaps on account of his brain-wave, he recommended the retrenchment of the Coffee Board workers and that there should be no exhibition of coffee seeds and the running of coffee shops in the country. What has happened? Those workers had gone out. Some of them had taken gratuity or provident fund and some of them are taking to some other jobs. Now, it is said that the Coffee Board should be reopened. So, is it all done according to the brain-wave of certain bureaucrats sitting somewhere and is this how the country is going to be developed? This is very serious. At that time, we approached not only the Labour Minister but all the other Ministers concerned. They were so adamant, so recalcitrant and so callous about the life of our people who have been working for our country for 16 to 17 years. Nobody heeded us, and our exchequer also lost some money by way of provident fund and gratuity which were paid to those who were eligible for them; and these amounts were legally available for them no doubt. But how much was the waste in such measures? Of course, that is only a coffee show and coffee vendors can be had at any time. It is not a very skilled job. But here, in this case, what is the position in Bhilai and Rourkela?

You know that Rourkela has got the biggest roofing in Asia; the roof area or the plinth area in the rolling mills there is the biggest in Asia. How many lakhs are employed there? In this connection, I shall narrate one incident which occurred when the Panchet dam was opened. Our beloved Prime Minister had been there to switch on the lights on that occasion. They brought in an aboriginal girl to switch on the light. She was taught to speak two sentences in her language regarding this function. She was a Santhal girl. At first, she was very timid. She got on to the platform. The Prime Minister dragged her and ask her to switch on the lights. She repeated those two sentences parrot-like. By that time her nervousness was over, and then she began to make speech and her speech went on for 25 minutes. The sum and substance of it was not translated because nobody could translate that language. The Prime Minister was anxious to know what she was saying all those 20 or 25 minutes. Then, finally, when the function was over, she was caught hold of by the officials and she told them that while they were putting on the lights to all to those places from the Panchet dam, the lights in their homes have all gone out. "We are all giving light to the people elsewhere, but our own homes are in darkness", she said. That is because 30,000 people were retrenched, and they were Santhals and other aboriginals. It is their place. They inherit that land. It is the biggest and precious and most fertile and profitable area for the Governments of Bihar, Orissa and....

Mr. Deputy-Speaker: Was that girl taught to say that also—what the hon. Member referred to at the end, about light, etc?

Shri Warior: Nobody need teach, if it is dark. If it is dark, nobody need teach a person to say that it is dark! So, that is the position. I think that this problem must be taken up more seriously as all other problems connected with the development of our economy. That is all that I have to submit.

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker, Sir, I think we all want to build up a kind of India in which there should be no unemployment and in which there should be no retrenchment and in which the light should be burning in all the homes without the lights being extinguished anywhere when they are burning at one place. We all have that vision of India, and I think our five year Plans are contributing something to the realisation of that dream. How long it will take us to have the dream of full employment fulfilled, I cannot say. But I can say this much that all of us are working for the fulfilment of that dream and we are marching along the road to full employment. Saying that something has happened at Durgapur or at Rourkela or at Bhakra Nangal does not militate against the realisation of those ends.

I think that so far as the Bill goes, there is nobody who will not agree with it. Everyone will say that India should be a paradise for workers. But my only point is this. I want India to be a Heaven for workers; but I also want India to be a Heaven for agriculturists. It should be a Heaven for all types of persons. I cannot understand why you should single out one type of employees for this kind of treatment and ignore all other kinds of employees in free India? That is my objection. I think all employees should be equal in the eyes of a Member of Parliament. He should think of skilled workers and unskilled workers who are working in the industrial establishments. He should also think of agricultural workers who are seasonal, the agricultural workers whose work does not last very long. All these people have to be taken into account. Therefore, I think that this Bill suffers, in the first place, from a kind of partiality of outlook. I wish there is a Bill which covers all kinds of workers and not this type or that type of worker alone.

So, I would ask the hon. Member who has piloted this Bill to bring forward a Bill which should apply as

[Shri D. C. Sharma]

much to skilled workers as to unskilled workers, as much to permanent workers as to quasi-permanent workers, and as much to workers in the agricultural field as to workers who are manning the great body of our Secretariats in India. Therefore, I feel that if such a kind of Bill is passed, it would be against the fundamental objectives of our Constitution, which grants equality of opportunity to everybody. I think we will be discriminating in favour of one type of worker and ignoring the general mass of workers.

Again, I find that the definition of a casual worker given is very defective. It is just like, defining a woman as a person who is not a man and a man as a person who is not a woman. This kind of over-simplification about the definition will defeat the very object of the Bill. It says, "A casual worker is one who is neither a permanent nor a regular temporary worker." I would have understood it very well if the hon. Mover had said that a casual worker is a worker who is not a permanent worker. In our free India, we have so many types of workers. Look at the clerks in our secretariat and elsewhere. There are permanent, quasi-permanent and so many other types of clerks. Similarly, you have so many classifications among workers also—permanent, seasonal, temporary, regular temporary and so on. I think an attempt should have been made to give a definition which should have covered every type of worker who is not permanent, but that has not been done. Only two types of workers have been specified and the rest have been left to take care of themselves. I believe this definition is also very discriminatory and a better definition should have been given. I feel this definition has been given in a hurry and sufficient pains have not been taken to define the casual worker in a more enlightened way.

I can understand the solicitude of my friends for those who are in industry. As I have already said, industry does not only absorb the bulk of our workers. There are workers in other fields also. This is also a partial approach. Then, the Bill says, that a permanent worker means any worker who has been employed for a period extending beyond 3 months. I am one of those who would like the abolition of these distinctions. I would like that anybody who is employed to-day should look upon himself as permanent from the very day of appointment. But we find that university professors, teachers and all others kinds of personnel who are appointed after due selection are confirmed in their posts after a probation of one year. While we give them a life-long appointment, in some of the advanced countries of the world, a professor is appointed for a term of 5 years, which is, of course, renewable afterwards. Any person who is employed should go through the routine of the office and the working of the office at least for some time. I feel 3 months is very very sentimental. I think a legislation of this kind should distinguish between the sentimental approach and the practicable workable approach.

In this Bill I find that only a sentimental approach has been adopted. I also want to win the sympathy of the workers and be friendly with them. I want to do all I can for the workers. I am a friend of the workers; I am myself a worker. But to think that three months period is enough for anybody to become permanent, I believe, is obtaining only in Utopia. It does not obtain in any socialist, democratic or any other country. I believe this is something which cannot be granted.

Then, the Bill says:

> "No industry shall employ any casual worker in any permanent employment".

On the one hand we have unemployment, partial employment, under-employment, etc. On the other hand, we deprive these persons of whatever chance of employment they have. How can you reconcile these two points? I do not think you can procure the right people if you have such stringent conditions. You deprive them of the mans of earning their livelihood. I believe our idea at present is to give everybody full employment. If we cannot do that, it is much better to give him seasonal employment than no employment; it is much better to give him employment for a short period than to throw him on the streets. That is the situation today.

15 hrs.

I believe that this Bill is very very laudable in its objective, very humanitarian in its aims and very fine in its intention. But this Bill ignores the realities of the situation completely not only in this country, but in all the countries of the world. I do not think a Bill like that will be found to be operative in any country of the world.

Of course, you can lay the blame at the doors of the industry, or of the Government, for not giving employment to people. That is true. But wisdom consists in making the best of an indifferent situation. This Bill intends to make the worst of an indifferent situation. If you want everybody to be permanent, no employer would offer jobs. Therefore, the hon. Mover, who is a great friend of mine and for whom I have great regard, should bring forward a different type of Bill, which I would support. I will be the first person to support a Bill which takes into account the entire employment map of India, the entire corpus of the employees in India and which gives the workers as much chance as possible within the limitations of our resources, within the limitations of our economy and within the limitations of our money and everything. Therefore, I would say that my friend, the hon. mover of the Bill, would be well-advised in withdrawing this Bill and bringing forward another Bill which is not discriminatory, which helps every type of worker—skilled, unskilled, seasonal, casual, permanent, quasi-permanent, non-permanent, all types of workers. I would wait for the day when somebody brings forward a Bill like that and I believe that the whole House would that day acclaim that Bill and would support that Bill and, by doing so, would serve the cause of workers.

Mr. Deputy-Speaker: Shri Muhammed Elias; I request hon. Members to be brief.

Shri Muhammed Elias (Howrah): I am very much thankful to my friend, Shri Ghosal, for bringing this Bill to abolish casual labour system in our country. I do not want to enter into an argument with my hon. friend, Shri Sharma, on the points which he has put forward against this Bill, because this question has been considered and discussed at great length in the Appellate Tribunal and it has given a clear verdict that no contarctor will employ any casual labour for any work of a permanent nature. This Bill also wants to abolish the contract system and the casual labour system for any permanent nature of work.

I shall give some of the facts about the misery and sorrow of the casual labour of our country. I shall first speak from my experience because in my childhood I had to work under a contractor as casual labour and so I personally know very well how much suffering I had to face in my early age of about 12 or 13 years, when I was almost a child. Many companies in our country employ contractors just to deprive the workers of the rights which they enjoy under the various laws and regulations if they are permanent. In 1933 I was employed as a labour boy and my wage was fixed at 6 annas per day. At that time, I was very happy to get such a type of job, because my family was very poor and my father had no means of livelihood, and I was wondering of getting some type of job by which I can earn and help my family. I

[Shri Muhammed Elias]

worked there for six months and every month the contractor used to ask me to take some money. The company used to pay the contractor all his dues every month or sometimes every week. In this way, about 200 workers used to work in that factory under that contractor. But he never used to pay the workers. After six months the contractor fled, not giving a single farthing to us. Then we went to court and filed a suit against the contractor under the Payment of Wages Act. The case was lost and the suit was dismissed because we do not come under the Industrial Dispute Act as the contractor is not registered under the Companies Act. So, we lost the case and we could not get any wages for our six months' work. Though we went to many places no relief was given to us.

The same type of contractors are employed in many factories and this is a very alarming situation. Actually, this system is increasing. For instance, in the factory where I worked till 27th March 1948, we had to go on strike, as a result of which I was discharged and put to prison, for the single demand of abolition of contract system. 2,300 workers used to work in that factory, which is a very big one, one of the best ship-building and ship-repairing factory. There almost 50 per cent of the workers were under the contractor, and they included welders, rivetters and machine fitters, very skilled workers. They do work of the same nature of permanent workers.

Mr. Deputy-Speaker: If the hon. Member had been employed there permanently then perhaps he might not have got a chance to be here.

Shri S. M. Banerjee (Kanpur): But this is also casual employment.

Shri Muhammed Elias: So, we put forward a demand to the company to let all the work be done under the great employment of the company and we shall show that this is very profitable. Because the contractors swallow most of the money, as the managers and others take bribe from the contractors. In this way, workers are deprived of their real wages and amenities. So, we suggested to the company that we may be permitted to work under the company directly and if the company loses we shall compensate them. But the company did not pay heed to our demand and we had to go on strike for 116 days. Then the strike could not be successful. That situation is still prevailing there and most of the workers have been retrenched. Now only 1200 workers are there, 400 under the contractor and 800 under the direct employ of the company.

In this way, there are many factories where the workers are exploited by the contractors. For example, there is the Thakurdas Surekha Company, which is a very famous foundry factory. In this factory 2,000 workers are employed but they are not under the direct employ of the company. They have got some contractors and sub-contractors and under those contractors the workers are forced to work and they get very meagre amounts as wages. They do not enjoy any of the facilities which are provided by the labour laws in our country.

Another factory, a very big engineering factory . . . .

Mr. Deputy-Speaker: He need not go into particular instances. He might generally refer to them.

Shri Muhammed Elias: There is another big engineering factory, Messrs. Burn & Company. That company used to employ 2,500 workers under the contractors, the so-called casual system. The workers had to work for 5 months and 29 days. Then he is retrenched and taken back again after a week or two, so that the company is not bound to give that worker the benefits and facilities which permanent workers had to be given. So, there was a very big movement there and after the life of one worker was given, these workers were taken as permanent workers in that factory, because the tribunal has held that workers who are employed in permanent nature of work must be considered as permanent workers.

So, I beg the Minister and the Members of this House to pass this Bill, because if we do not pass this Bill corruption will increase, because the contractors, as everybody knows, in our country deprive the workers their dues, swallow that money and then spend this money after wine and women. Everybody knows this.

They also give bribes. Now the christmas season is approaching and the contractors are preparing *dalis* to satisfy the *burra sahibs* and *mem sahibs*. They will go to their house and will give the *dalis* to them with the best wine in the world, best cakes and other things to get another big contracts in the factories, railways, post commissioners offices and everywhere. This thing must be stopped in the interest of the country. I appeal to the hon. Minister to accept this Bill so that corruption can be abolished and at the same time these workers who work so hard are helped. Workers under the contractors have to work far more than workers under the direct employment of the management.

It is also alarming because it is spreading in the offices also. In the olden days, the management did not employ clerks, typists and others as casual workers. Now in the offices also they have started recruting typists, stenographers and others as casual workers. They are given Rs. 2 or Rs. 3 per day and are forced to work for one or two months and are again thrown out of employment and in their place new men are taken. In this way this casual labour system and contract labour system is increasing day by day. So this is my request to the hon. Minister that he should accept this Bill. I should also request the House to pass this Bill.

Shri N. R. Ghosh (Cooch-Behar). Mr. Deputy-Speaker, Sir, I have got sympathy with the sponsor of this Bill because I find that there are certain grievances of labour under the contractors which merit investigation. But I very humbly request him to consider whether this Bill will serve the purpose or not.

First of all, it is a Bill which has got a very wide range. This Bill also postulates certain propositions here which are not known to the industry anywhere else in the world. He wants to stop casual labour in every industry. He forgets that there are workers who would like to be casually employed. There is a place for them in the industry all over the world. Therefore he cannot by law deny work to such people, who do not want to be permanently employed but who want to have only temporary work, from casual employment. Therefore I would submit that in that way the Bill is not scientific and objectionable.

It is against certain fundamental principles of fundamental rights and even of labour laws. Wih very great respect I would submit that the Bill is not very scientifically drafted either. But let me not consider that aspect of the question at all. I would refer to one matter because here in the Bill he says:

> "'industry' has the meaning assigned to it in the Industrial Disputes Act, 1947."

That covers a very wide field and he does not make any provision for certain industries which have to employ casual workers, for example, the plantation industry. Many of the hon. Members may not know that that is an industry which has got two seasons. For the first six months mostly in winter the garden is made ready for crop by cultivation and

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other things. The crop is available only after that for about six months. There is a permanent body of labourers who work all through the year, but when the season comes, during the pick season when there is rush of crop, the permanent labourers cannot cope with it. Therefore they have to bring casual labourers. That is an absolute necessity for that industry.

Here I would refer to the report of the Plantation Enquiry Committee. It says:

> "The engagement of temporary casual labour was due to many causes, the chief was its availability in the State, village or *basti.* Labour except in certain regions hardly protested against it as they themselves wanted their kith and kin to be employed. The existence of a pick season in the industry made the employers fall on this source of labour in the plucking season. In the terai region of West Bengal, there is more casual labour owing to the short season for plucking."

If, as my hon. friend suggests, you cannot engage any casual labour, what will happen to this crop? It will partly be lost. If only for two or three months you require certain extra hands and if you were to put them on the basis of permanent labour cadre, that will mean the end of the industry because there will be a wage-load and other obligations which the industry cannot bear. Therefore it will not be for the good of the industry and for the good of the workers. No employer can employ casual labour if along with it there is a punishment that that labour shall have to be employed for all time to come with certain amenities like housing and other things.

Who are the casual labourers? They are also erstwhile workers of tea gardens. They settle after saving money and acquiring property near about the tea gardens. They have got their lands, their family and their own houses. They are expert pluckers and at the time of the pick season sometimes they send their wives, sometimes they themselves go and sometimes their sons go and make additional income. They do not want to be permanently employed in this industry at all. They are householders. They have got their own agricultural lands. Therefore I would submit that this is not really a Bill with such severe repercussions which should be drafted in this wide manner. It will bring within its mischief many industries in respect of which my hon. friend has got absolutely no grievance.

Then as I submitted, my hon. friend. Shri Sharma has also said that the definition is neither apt or precise and not very scientific. That is the least part of it. Here he says:

> "Save as otherwise expressly provided in this Act, no industry shall employ any casual worker in any permanent employment."

About "save as otherwise expressly provided", there is no provision in this Bill by which you can employ any casual worker. As the clause stands it absolutely stops the employer from employing any casual labour at all.

I would submit that there is also another danger in it. Unfortunately in plantation industry some political parties want to exert their influence for political purposes through labour by endangering the industry itself. It has been referred to in the Plantation Enquiry Commission's report. It says:

> "For the last three years it has become a feature of the Union to call a general strike during the peak production months of the year. The Commission finds that the largest number of strikes happened generally in the plucking season between June and August."

Whoever has got some knowledge of plantations knows that if you can stop plucking for about a fortnight, all these leaves harden and the flush is retarded. That means loss of valuable crop and the garden suffers terribly. As matter of fact, only to keep the garden alive this casual labour sometimes comes to help. I am quite sure my hon. friend does not support these tactics and has no such object or intention. But I would say that if this Bill is passed, it will cause all this mischief to the plantation industry. I would submit that the Bill as it stands cannot help my hon. friend at all for redressing those grievances which are in his mind. I would submit that the Bill should be withdrawn by him.

Mr. Deputy-Speaker: The hon. Minister.

Shri Chintamoni Panigrahi (Puri): I want just five minutes.

Mr. Deputy-Speaker: Now there is no time.

Shri Chintamoni Panigrahi: Only five minutes.

Mr. Deputy-Speaker: It is difficult for me. The hon. Minister says that he must have at least 20 minutes; even then we will be exceeding the limits.

Shri K. N. Pande (Hata): I also want five minutes if possible.

Mr. Deputy-Speaker: There were 57 minutes left for this when we started. 45 minutes have already been consumed and only 12 minutes are left. What can I do? If the House extends the time, I have no objection.

Shri Narasimhan (Krishnagiri): No, Sir. Then the other Bills will suffer.

Mr. Deputy-Speaker: There is no time.

Shri Chintamoni Panigrahi: Two minutes will do.

Mr. Deputy-Speaker: All right. Shri Panigrahi.

Shri Chintamoni Panigrahi: Sir, I rise to support the objective of the Bill of my hon. friend Shri Aurobindo Ghosal. I would like to take this opportunity of drawing the attention of the hon. Minister to a recent occurrence in the Rourkela fertiliser factory in Orissa. Today there is a P.T.I. message that more than 2,000 workers engaged in the Rourkela Fertiliser factory have gone on strike because the management there have not been able to fulfil the following demands of the construction workers. First, they wanted to stop illegal termination of the services of the workers engaged there. Secondly, they demanded retrenchment benefits from the management and the management did not agree to give them retrenchment benefits for all those construction workers who are going to be retrenched. Thirdly, they have demanded absorption of retrenched workers in the Sindri Fertilizer Plant and timely payment of wages. There should be a clear policy of the Government that whenever such construction workers are retrenched from a construction, they can be given employment in the project if they are skilled to that extent or they can be afforded employment in other construction projects. As they have acquired some experience, so far as fertiliser factory is concerned, they wanted their employment in the Sindri fertiliser factory. These demands were turned down. Then, they also wanted to double the wages for the overtime they worked. Also they wanted payment of their wages regularly. Payment was not regular. These are very reasonable demands which the construction workers put forward. But, the management did not accept and the contractors did not accept. I would urge upon the Minister not to go into the technicalities of the Bill or its construction. The hon. Minister can bring forward a better Bill with better drafting. But, time has come when the Government will have to take into consideration the important problems

[Shri Chintamoni Panigrahi]

which millions of workers engaged in various construction projects are facing today. For the last 3 years, nearly 1,000 skilled workers retrenched from Hirakud have not found employment in the Dandakaranya project or any other construction project, though they were given assurances. There are thousands of workers retrenched from the Rourkela Steel factory. The assurance was there that they should be given employment. But, they have not been employed so far. The time has come when the Ministry should formulate a policy with regard to the vast number of construction workers. Some constructive measures should be taken for these people.

Shri K. N. Pande: Mr. Deputy-Speaker, although there is some problem in industry regarding casual labour, I do not know whether that problem will be solved by this Bill. There is no doubt that casual workers are being exploited in the factories. Although in some cases, they have to work for the whole year, their service is broken for a period of 1 week or 10 or 12 days and they are re-employed. Still, they are being called as casual labour. So far as these workers are concerned, they should be made permanent. There is no doubt about that. But, if the definition given here is applied, I do not think any industry will accept it. In any industry there is some work which is of a casual nature. Suppose the work of construction of a building is undertaken by a factory and it is completed in three months. What will the factory do with these workers? Will they continue to be in service for another whole year? That is the question here. Suppose in a factory there is flood. For example, in one factory, some people were engaged to draw the water out. I have seen the factory where it was affected by floods and it took them three months. All those temporary workers employed for that purpose should have been premanent according to this clause.

Moreover, there is some contradiction about the definition given here. A permanent worker means any worker who has been employed for a period extending beyond three months. Casual workers are those who shall complete three months service on the date this Act comes into operation, and they shall be considered as permanent workers. There is a great contradiction between the definition given of a permanent worker and a casual worker.

I only wish to draw the attention of the Ministry that so far as the problem of casual worker is concerned, it require some consideration. Under the Factories Act also, some people deprive them of their earned leave. They are not allowed to work for 240 days. Similarly, so that they may not become permanent, their service is broken for a short period. That should be stopped. I think, taking all these things into consideration, the Ministry may come forward with a Bill so that the interests of these casual workers are safeguarded. Otherwise, I do not think this Bill will serve the purpose for which it was brought.

Shri Abid Ali: Mr. Deputy-Speaker, it is a good suggestion which my hon. friend from the U.P. has made that where employers intentionally deprive the workers from earned leave and other benefits to which they are entitled under the enactments, necessary protection should be found for them. This, we should look into and ensure to the workers what is due to them.

The hon. Member from Calcutta was telling us experiences of his childhood. He was more fortunate than me in getting a promise of 6 annas a day at least. I had to be contend with 2 annas a day. But, Sir,....

Mr. Deputy-Speaker: Both should be thankful to the provision that there could be casual labour.

Shri Abid Ali: Otherwise, that would not have come to our lot. But, that is a story of the past.

The unfortunate thing is, some hon. Members opposite still have not been able to differentiate the changes and opportunities between their childhood and this year 1960. Much has been done scince then. He and the like were not even convinced that India had become Independent. Men like Bulganin and Khrushchev had to come to this country and tell them that India was Independent. Afterwards, they got convinced that India became independent. (*Interruption*).

An Hon. Member: Come to the point.

Shri Abid Ali: I am coming to the point. Many things have been said. The hon. Member who has interrupted was not present here. Otherwise, he would have appreciated that about 75 per cent of what was said in connection with this Bill was irrelevant.

Much has been said about construction labour. But, I do not know what is in their mind. Or, is it being said to exhibit the underlying ideas of their own that this country should not progress: we should not have Bhakra, we should not have Durgapur, we should not have Rourkela. If the workers employed for construction purposes should be continued in employment always, we should have no Bhakra, no Rourkela. Of course, we have got already a pool in the Labour Ministry, a department created in the Labour Ministry which safeguards the interests of the workers to the extent it is possible. A scheme has been drawn according to which all details of construction workers who are likely to be retrenched are communicated to this section and this section tries to find employment for them in other projects. Also in the projects in which these workers are employed. when there is a likelihood of their being retrenched, very careful investigation is made and such of them as could be employed in the project itself, are taken over.

The hon. Member was speaking about skilled labour. Where are superfluous trained skilled workers? Today we are very much in need of them. There is dearth of them. Wherever they are available, employment is available for them. If the hon. Member is referring to unskilled workers . . . .

Shri Warior: Skilled.

Shri Abid Ali: If his information is of the big number which has been given to him, 10,000 skilled workers, his definition of 'skilled' is something else, not the definition which is generally understood. Then, in the case of unskilled workers, of course, they have to revert either to their own original . . .

Shri Muhammed Elias: But what is the definition of a 'skilled worker'?

Shri Abid Ali: The hon. Member should please listen to me. It is a commonly understood thing. It is not my definition or it is not his definition.

Shri Muhammed Elias: But the hon. Minister is saying that the definition of 'skilled worker' is something else. We want to know what that definition is.

An Hon. Member: 'Killed worker'.

Shri Abid Ali: It is a commonly understood definition. I have seen some of the workers in these projects for the last twelve years; from one project to another, they are transferred along with their machines. The same work which they are doing in one project is given to them when they go to another project; that is how, they are shifted along with their machines from one project to another. Quite a few hundreds are being transferred in this manner.

Shri Chintamoni Panigrahi: Not all of them.

Shri Abid Ali: That is how it goes on, and it will go on like that.

So, as I have stated, firstly, persons who are employed for construction work have got to be retrenched when

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the work gets completed. However the project authorities should make an attempt to employ as large a number from among them as possible for the main project. The Labour Ministry, with the co-operation of various projects, the State Governments, etc. and even the private sector, tries to find alternative employment for as many of them as is possible, and I think that should be quite satisfactory.

Regarding skilled workers, unfortunately, I heard the word as 'killed'. My hon. friend was making much of it within a few minutes; he understood it to be something else. That sort of thing happens, but too much ado should not be made of such mistakes.

My hon. friend from Orissa was saying something about a particular establishment. Certainly, as he knows, whenever such things are brought to our notice, we do all that is possible, and I have been requesting hon. Members always not to wait in such cases for debates or discussions or questions in Parliament, but immediately to drop a postcard to us. They may know that very earnest and serious attention is paid to everything that is communicated to us.

Shri Narasimhan: There should not be a postal strike then.

Shri Abid Ali: About decasualisation, as far as I remember, first unofficial attempt was made in the State of Bombay, now, Maharshtra, regarding textile workers. A large number of them were being decasualised from time to time, and a non-official exchange was opened so that those who were already on the rolls of the mills and called *badli* workers from time to time should be taken first, and until that list was exhausted, no new workers should be taken on *badli*. That has been working very well. On the same lines, we have opened anothr official exchange at the collieries at various places, so that those who are retrenched from various collieries or are otherwise unemployed are taken in the new collieries, and no new person is taken in so long as those people are available and are willing to work.

With regard to docks, Parliament has passed the Dock Labour Board Act, and under that scheme, the Bombay and Calcutta Dock Labour Boards are doing good service to the workers. The same thing will happen for Cochin, Visakhapatnam, and other places. Madras has already introduced the Dock Labour Board scheme.

About contract labour also, the tendency is to reduce contract labour as much as possible. In some sectors, employers also are co-operating, but it is true, not everywhere. Industrial committees which meet from time to time and also the Indian Labour Conference and the Standing Labour Committees take note of these things, and much progress is being made. Of course, there is room for doing still more. I quite admit that.

About casual labour, the recommendation of the Pay Commission is that casual employment should be restricted to the minimum. The same rates of wages are to be fixed for casual labour in scheduled employments as are fixed for comparable schedule employments under the Minimum Wages Act, and casual labour should have the benefit of weekly holidays etc. Long experience as casual worker should be taken into consideration while making selection for appointment on a regular basis. This has been taken note of by Government, and I am sure that in course of time, these recommendations would be implemented.

The other day, the hon. Mover of the Bill said that no legislation like the Minimum Wages Act, 1948 was applicable to the casual workers. That is not the correct position. Our Minimum Wages Act does not make any differentiation between casual, temporary and permanent employment. All those who can be covered are covered, but these distinctions are not known to the provisions of the Minimum Wages Act. The Coal Mines Welfare Fund and Bonus Schemes Act, 1948 and the provident fund and bonus schemes framed thereunder are also applicable. It is true that some of the employers, as has been pointed out by my hon. friend Shri K. N. Pande send away the workers before they get entitled to these benefits. For that purpose, the needful is being done, and whatever more may be necessary should be done to see that advantage is not taken of any weakness in the Act by the employers.

About contract labour, hon. Members know what the Second Five Year Plan mentions in regard to them; in that direction also, much has been done.

About the CPWD, the Finance Mnistry have already issued orders, on the basis of the report of the Second Pay Commission that work-charged staff whose services are likely to be required on a permanent and long-term basis should be made permanent or given some permanent status.

As far the wages, my hon. friend from Kanpur was mentioning the other day that it was Rs. 30 or 40, and he asked me to make enquiries. I find that the total emoluments come to Rs. 85 per month, in Delhi; and the rate for an adult is Rs. 2 per day, and for boys, Rs. 1·15, that is, for the *khas thatti* workers, that is, those boys who are engaged temporarily purely for the purpose of putting water on the *khas thattis*, and for a few hours only and not for the whole day.

My hon. friend also said that he had been informed that in the Defence Establishment, the order that if a worker continues for more than six months, in temporary employment, he should be given some permanent status is not being implemented. No such case has ever come to the notice of this Ministry or of the Defence Ministry. If there are such cases, my hon. friend is welcome to inform us of the same, and certainly, we shall do whatever may be necessary.

Much was said about Welfare State. I am thankful to my hon. friend from Punjab, Shri D. C. Sharma. What he has said is correct, that, of course, light should be everywhere. Hon. Members had been complaining that about ten thousand workers were engaged in a particular project, and they had to go away when the project was completed, and so on; if these difficulties are to be mentioned in this manner and exploited in this way, then, of course, the reply which he has given is, I think, quite proper. But that is not the intention. Of course, it takes time to evolve a Welfare State. What happens even in countries which are governed by dictatorship? (*Interruptions*). There is no use of getting up like this. What happens in those countries, if, say, 40,000 workers are engaged to construct a dam, and after that dam is completed, there is no other dam to be built? Of course, we are having one project after the other. But there are countries where this sort of work is no more done and they have finished their last dam and so on. After the construction of the last project, the construction workers have to be discharged.

Shri Indrajit Gupta (Calcutta—South West): They are not unemployed.

Shri Abid Ali: It is good to sit here and say something. But he must go there and have a little experience.

Shri Indrajit Gupta: Have you seen it?

Shri Abid Ali: I have seen it . . .

Shri Indrajit Gupta: I have seen more.

Shri Abid Ali: with all carefulness?

Shri Warior: He is going into extraneous matters. We are not discussing that particular matter.

Shri Abid Ali: If hon. Members are not prepared to listen to these things in reply, they would better do well not to refer to such matters in the course of the discussion. I quite appreciate that this is a very unsatisfactory position, in a debate connected with employment in factories and so on. But what can I do? If it is mentioned, I have to take note of it and reply; otherwise, they will complain that the point they raised was not taken note of by me or referred to by me.

I am not standing on technicalities nor mentioning any technical difficulties. I am only saying that it is not a practical proposition. The Bill says that henceforth there should be no casual labour employed anywhere. If in a factory, there is a permanent employment and the employer wants to entertain a person, he should know his capacity to work.

Shri Sadhan Gupta (Calcutta-East): Permanently casual.

Shri Abid Ali: It will be casual; it will be temporary.

It is possible to accept the Bill, I do not not say in this form. The principle of it is not acceptable because it is not practicable. Therefore, I would request he Mover to kindly withdraw it. If he is not prepared to do it, I would request the House to reject it.

Shri S. M. Banerjee: On a point of clarification. As regards construction workers, a suggestion was made here to have a common pool of these workers. May I know whether such a pool exists under the Labour Ministry?

Shri Abid Ali: Yes, it is under the Labour Ministry—the Employment Exchange. I have given figures here mentioning the number of persons employed, how many of them wanted to be served by this section, how many of them were employed through that section and so on. All that information has been given here and at that time, the feeling was that it was very satisfactory.

Shri Aurobindo Ghosal (Uluberia): I am glad that all the speakers from all sections of the House have supported my Bill. My main intention was to point out the tendency that is growing in the country in industry, both in the public and private sectors, to appoint casual labourers more and more and to give works to the contractors. The Minister has said that as regards the port and dock workers the position is all right and there are Acts governing them, and naturally the casual labour there is being liquidated. But the fact is otherwise. I will give only one or two instances. Take the Calcutta Port. Statistics given in the Report of the Dock Workers (Regulation and Employment) Inquiry Committee, 1955 show that the number of such workers in 1951 was 1671 or 18.6 of the total labour force, in 1952 it became 24.6 per cent, in 1953, 19.5 per cent and in 1954, 24.6 per cent. In Madras also, in 1951, the percentage was 20.1, in 1952: 26.7, 1953: 32.4 and in 1954: 33.7. Therefore, the tendency is to increase the employment of labour by industry as casual labour.

In the Public Works Department, the total number of contract labour employed in 1957 was 25,647. In the public motor transport the number that is given in the Indian Labour Year Book, 1957 was 2628 casual labourers as on 1st October, 1956. The tendency is to employ more casual labour in order to avoid labour legislation. This tendency should be checked in order to stop the exploitation of the poor workers. It is true that there is the Minimum Wages Act. But there is no machinery for implementation. Shri D. C. Sharma was telling us that this Bill did not cover the agricultural workers. Perhaps he is not aware of the fact that 82 per cent of the agricultural labourers are casual labourers according to the Government report. The Government is complacent and it was said that this tendency was gradually going out. But that is not a fact. On the other hand we see that the tendency is increasing and they adopt this practice in different sectors of the industry. So, I recommend that this Bill be accepted by the House.

Mr. Deputy-Speaker: The question is:

> "That the Bill to provide for abolition of the system of employing casual labour in the employments of permanent character be taken into consideration."

The motion was negatived.

Shri Warior: They can at least say 'No' a little louder.

Mr. Deputy-Speaker: It should be louder: Is that the complaint? We shall take up the next business.

Shri Ajit Singh Sarhadi—absent.

Shri A. M. Tariq:—absent.

Shri C. R. Narasimhan may move his Bill.

15.48 hrs.

INDIAN INSTITUTE OF ARCHAEOLOGY BILL

Shri Narasimhan (Krishnagiri): Sir, I beg to move:

> "That the Bill to provide for the constitution of an Indian Institute of Archaeology for imparting training in scientific methods of archaeology and in the conservation of historic and artistic works, including research in various branches of archaeology, be circulated for the purpose of eliciting opinion thereon by the 30th April, 1961."

Some of the hon. Members may not have read the Statement of Objects and Reasons of this Bill.

Shri D. C. Sharma (Gurdaspur): We have read it . . . (*Interruptions.*)

Mr. Deputy-Speaker: Perhaps the hon. Member did not expect this to be reached and therefore he thinks that some Members may not have read it.

Shri Narasimhan: I said that some hon. Members might not have read it. I shall quote just one paragraph from it to make the object very clear:

> "In Western countries, there is only the Monuments Department, which looks after the maintenance and conservation of monuments. But archaeology proper, and more especially research in different branches of archaeology, is looked after by Universities and learned bodies. Administrative efficiency in this regard can be brought within the realms of practicability only by differentiation of functions, and by emphasising on proper scientific training in a free academic atmosphere. The need for training is greater today because the States are organising their departments of archaeology."

Here, Sir, archaeology is being administered by the Ministry of Scientific Research and Cultural Affairs. The department of archaeology is a very ancient one. I am told that they are going to celebrate their centenary. All along, Sir, this department has been muddling through. But, thanks to the remarkable attention and service rendered by Lord Curzon and Sir John Marshall, this department became useful to the country, zest and life was added to it and it progressed step by step. The question of conservation of monuments was taken into account and sufficient attention began to be given. There was a time when there was danger even to our Taj and many other important monuments were going into decay or were being stolen. At that time, those much abused British statement like Lord Curzon and others, whatever their views on other matters might have been, paid sufficient attention to this question and all our ancient monuments to the best of their

[Shri Narasimhan]

ability were rescued. Subsequently, during the recent war time, a kind of deterioration took place in this department owing to financial stringency and other matters.

15.51 hrs.

[SHRI JAGANATHA RAO *in the Chair.*]

Then, in the midest of the war, in March 1938, the then Viceroy summoned the well known archaeologist, Sir Leonard Woolley. Woolley was a very eminent man. He died only a couple of months ago. He was a very eminent and well known archaeologist. According to a book review: "There is no name among the archaeologists better known than Sir Leonard Woolley". He has done wonderful work in this field. The famous Mesopotamain excavations and the discovery of the famous rims of UR go to his credit. It was he who unearthed the city of Abraham. Such an eminent archaeologist was summoned by the Government of India, I think by Lord Wavel, and was asked to give advice and recognise this department. I am quoting from the biography of the subsequent Director General of Archaeology, well known for his service in this field in this country, namely, Sir Mortimer Wheeler.

> "In March 1938 the Viceroy, through the India Office, summoned Sir Leonard Wooolley to the rescue. Wolley's advice was sought on four points:

(1) The most promising sites or areas for exploration.

(2) The best methods and agencies for achieving the speedy and fruitful development of exploration activities in general; consideration, in this regard, being had not only to Government but to non-official agencies such as universities, learned societies, etc.

(3) The best method of training or selecting officers for exploration work, including such points as the most suitable age for recruitment.

(4) Any general points bearing on the field of exploration and excavation not covered by items 1-3."

So, Sir Leonard Woolley came and spent a few months in this country. He submitted an excellent report. I am quoting the words of Sir Mortimer Wheeler himself. He says:

> "The resultant report, dated 28th February 1939, and the unpublished notes which lie behind it, are monument of quick and penetrating vision and of trenchant but judicious and constructive criticism."

I may add that they are still unpublished. I was not able to get at them. I was able to get at the report with great difficulty but I was not able to get at the unpublished notes. That is how Sir Mortimer Wheeler himself who came later to reform the department in pursuance of the advice of Sir Leonard Woolled comments upon the work. Leonard Woolley had submitted a report at that period, criticising and giving constructive suggestions about how to reform and improve this department of archaeology. Subsequent to that, and up to now, the department has been carrying on its work. But the time has come now to review the work of this department. I am saying this in general about archaeology. It is no use carrying on as we do. It was after 75 years of the inception of this department that Leonard Woolley was brought to write a review and there was then a reformation of the department. But now the time has come once again to have a Commission of experts of this country with some other outsiders. After all, it is modern science. It has become a greater modern science. With the advancement of science in all branches it has become equally complicated. The time has now come to have another review.

So, I wish to emphasis that this Ministry should now undertake as soon as possible an enquiry by competent archaeologists to find out how far we could improve the activities of the department and how far we should consolidate the existing position and how we can invite other learned bodies and non-officials in order to make archaeology in India more interesting.

With your permission, I want to read one passage from the report of Sir Leonard Woolley himself. It is a very interesting and a very ennobling one. I wanted to get this particular report. in the consultative committee I asked the Ministry to get a copy of it and have it circulated to hon. Members. But unfortunately, the Ministry was not in a position to do so. This Ministry which is supposed to delve deep into the earth and find out ancient things and unearth the unknown and reconstruct the history was not able to find out its own, the one and only, report.

Shri Morarka (Jhunjhunu): Was it not confidential. It was published and printed. The further confidential notes have not seen the light of day. I wanted to quote from the report of Sir Leonard Woolley.

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): May I have the date when Sir Leonard Woolley came to this country?

Dr. M. S. Aney (Nagpur): Is it a published document?

Shri Narasimhan: It is a public document. I did not catch what the Minister said.

Dr. M. M. Das: I wanted to know the date of his visit.

Shri Narasimhan: After my request, and after a good deal of difficulty, and through the good offices of the Ministry of Parliamentary Affairs, a copy of it was placed in the Library. It is still there. A copy is still there for the benefit of hon. Members. The report is signed. I have read the date earlier also. It is dated 28th February, 1939. I do not know what benefit does the hon. Minister get by forcing me to read it a second time. I really do not see the point. I thought I had read it from the other book,—the date when Lord Wavell's Government had requested the services of Sir Leonard Woolley. This report is there and only one copy is there. It is not a printed one. But I have a typed copy. A friend of mine who is interested in archaeology had a printed copy. It is such a good copy and a rare one and so the law of supply and demand also operated there, and he refused to part with it. He took a typed copy of it and gave me a typed copy. The Government of India also have placed a similar typed copy in the Library and not the printed one. I have looked at the printed copy. What I have got is the typed copy, page to page, just similar to what the Government of India had forwarded.

I want, with your permission, to read a passage to the House to emphasise the importance of archaeology.

Mr. Chairman: Is it a long passage?

Shri Narasimhan: It is very short one.

> "Archaeology could and should play a far more important part than it does in the life of the Indian people. In a country where historical sense has been but little developed, where historical knowledge is very limited and is then confined for the most part to that of political history in which the bias of party feeling tends rather to perpetuation of old animosities than to the conciousness of national unity, the study of the growth of civilisation is the most salutary of studies. Especially for an Indian at the present time is it important that he should learn how the India which he knows has come into being, understand what is in the light of what has been, and in the clashes of rave and creed should

[Shri Narasimhan]

> stress not on the accidents of strife, but the power of the Indian spirit to assimilate what was good even in an enemy culture without sacrificing its own individuality. Here archaeology can help and the Archaeological Survey as the official organ of archaeology has a duty to perform."

He has said, "Especially for an Indian at the present time . . ." etc., which I have quoted above. This very sentence will show that contributions of great and learned people are of a more enduring character than we ordinarily imagine. I am saying this, because the Minister may say that it is all out of date.

16 hrs.

This shows how important archaeology is. That is why I say that knowledge of archaeology should be imparted on a larger, better and more satisfactory scale and that is why I have brought forward this Bill to draw the attention not only of the House, but of the Minister himself in particular.

In February, 1938, Sir Leonard Woolley submitted his report on the working of the department of archaeology. This report is a severe indictment of the department of ahchaeology. Let not the Minister lay the flattering function to his soul, saying he has got enough men and enough money and so enough work is being done. I can give one or two instances as to how the department has to be improved.

After Sir Leonard Woolley came Sir Mortimer Wheeler. He chalked out a plan as to what should be done in this matter. He chalked out a systematic plan. Archaeology is such a complicated science that everything has to be systematically done. Digging, excavation, etc. are systematically done. You should excavate with a certain object, viz., what portion of history you want to know. After you have started excavating, once you get the evidence, there is no need for further digging. Otherwise, as Sir Leonard Woolley once said, you will be getting out images and other things which the museum houses in India would not be able to fill. Once you get at the point of history you wanted, you should stop. Digging and excavation should be done by competent people. Otherwise, if it is done by in competent people, what little evidence there is will be lost. If it is done by incompetent people, it is murdering of evidence, as the expression goes. They should rather leave it till more competent people come. Let it be lying under mother earth till someone really competent in the line comes for excavating it.

Mere expenditure is not the criterion. Quality of work is very important. These are all very fully stated by Sir Leonard Woolley. He stated that mere increase in expenditure is not proof of good work. Quality is what is wanted. He said in his report that he was simply surprised to find what the then Government of India has not done. The situation has not changed much now, because efficiency to the desirable extent is not shown. He was rather dissatisfied with the totally unknown history of India, which has not been unearthed properly. In his report he has referred to the south in particular. The archaeology of India can be divided into two zones—north and south. These are the problems practically known to everybody—what is to be done in the South and what is to be done in the North. But nothing seems to have been done. We must address ourselves to this question with the use of the modern knowledge.

I was referring to Sir Mortimer Wheeler. He went to Pondicherry and saw something somewhere. These men are geniuses and, therefore, we cannot explain how they work and choose sites. He went to Pondicherry and dug up, particularly in a place where earlier some Frenchman has done some work, and he found things which were interesting. He found some link between Pondicherry and Rome. He found some potteries bearing the seals of the reigning emperors of Rome of 1st century A.D. Potteries of the same date of India were also found. Some other things of interest were also found. Allied findings were made in Brahmagiri, near Andhra.

An hon. Member: What about Nagarjunasagar, which is a gold mine of archaeology?

Shri Narasimhan: I am coming to that. So, Sir Mortimer Wheeler came here, dug up and found those interesting things. Now, a fortnight back I went to Pondicherry and people told me how Sir Wheeler went there, dug up. But the other day when I put a question whether the monuments which the then French Government were protecting in that particular area were continued to be protected by the Government of India, I did not get a straight answer. I object to the way in which the answer was given. I put a question for which I had given 20 days' notice, certainly not less than ten days —otherwise, Speaker would not have allowed it—which was sufficient notice, and asked: are you continuing to protect them and looking after them, please give an answer? The answer was "We are collecting information". We were in a hurry to have *de facto* control over Pondicherry but in spite of that we are not getting information.

Mr. Chairman: The hon. Member has taken 25 minutes. The time allowed for this is only 1½ hours.

Shri Narasimhan: I take this as an indication and I will conclude. Archaeologically, India can be divided into north and south circles. According to the reports of the Estimates Committee and others these circles are very important. The southern circle covers Ajanta caves and places in Mysore, Madras and Andhra. I do not know the axact topographical division. It is a very large area. We expect those temples and other things to be looked after well. But I have been given answers that they were not filling up even the posts of fully qualified senior superintendents. Even the report of Leonard Woolley, it is stated that in the south there must be a special arrangement for the temples because there are religious objections. So, competent people, particularly Hindus, should be there so that they may protect them.

There are very beautiful Pallava paintings in southern temples, comparable to Ajanta paintings. I have myself seen them and I have a suspicion that more paintings are there. I did not want to interfere and spoil the things. But even as a layman I know that there are more and they are covered with thick plaster. You will imagine there are no paintings but if you safely remove the thick plaster there is a painting. I have brought it to the notice of the Minister that they are being neglected and they should be protected. I do not know what they have done. Still, the paintings are under plaster and the temples are uncared for. They are very costly pieces of painting. There is a painting in the Panamalai temple of a beautiful damsel with an opened umbrella, exactly like the Ajanta paintings. But the technique is entirely different. It is like the technique of Crete that is to say, it is on plaster. In Ajanta it is on mud background. They are technical details and are very important details. Even historically they are necessary.

Then they are doing excavations at Nagarjunasagar. It is quite possible according to modern methods to use electric meters like what the Oil and Natural Gas Commission and geologists have to find out through electronic and other equipment whether there are things below. Use them. Find out quickly what is there and decide. But nothing has been done.

There is a similar case in Egypt where the Nubian paintings are going to be destroyed by the Aswan Dam.

[Shri Narasimhan]

But there they have asked the UNO to come to their rescue and support. But we have not done any such thing. Even Leonard Woolley in his report stated that in these matters we should get foreign aid. He said, "Get foreign aid. Do not worry about their taking away the idols. You can spare them. You first construct history. Then you need not worry about the idols. It is history that has to be constructed. When the purpose is served, sell them." This is what he has recommended. Why have we not secured foreign aid? Why should Egypt be able to secure UNO's aid for Aswan Dam excavations? Why have we not done anything?

These are all to show that rethinking is necessary. I want this Bill to go into circulation so that outside experts within the country may also give their opinion. Let it not be imagined that the monopoly of wisdom lies in the Ministry only. There are very good workers in Baroda and Poona, eminent scholars who have done very good work. If they are given further encouragement they will do very well. The type of encouragement which the Ministry gives is something like doles as if they are given concessions. They become obliged to those who give money. They do not become independent. They do not fully do it. Therefore the gift and the help should be very impartial and independent. It is one thing to get it from the University Grants Commission and another thing to get it by way of *sifarish*, as I would call it, or something like that.

Therefore let not the Ministry imagine that it is a kind of any hostile step against them. They unnecessarily get frightened. They think that something is aimed at their very existence. It is not so. Even as Leonard Woolley had said only supermen can deal with jobs as they stand at present. Each officer is expected to be a digger, excavator, history-man, engineer and so on and so forth. It is no good. This department's activities must be diversified. Specialised branches must be there. That is the main scheme that I have. It is in pursuance of that scheme that I bring forward this Bill. No harm will be done if public opinion is elicited on it. I request the Ministry also to co-operate and assist by agreeing to this demand. I am sure that after this archaeology in India will grow.

Mr. Chairman: Motion moved:

> "That the Bill to provide for the constitution of an Indian Institute of Archaeology for imparting training in scientific methods of archaeology and in the conservation of historic and artistic works, including research in various branches of archaeology, be circulated for the purpose of eliciting opinion thereon by the 30th April, 1961."

Shri Mukerjee: The hon. Member will be brief.

Shri Warior (Trichur): It is very important.

Mr. Chairman: But only 1½ hours are allotted.

Shri Warior: Time may be extended.

Shri Morarka: Time may be extended because it is very important.

Shri H. N. Mukerjee (Calcutta—Central): Mr. Chairman, Sir, I am glad Shri Narasimhan has shown some interest in the working of the Department of Archaeology and being one of the hon. Members of this House elected to represent Lok Sabha in the Central Advisory Board of Archaeology I feel it my duty to offer a few observations in regard to the motion which he has moved.

I feel he has proceeded a little precipitately as far as the formulation of the Bill is concerned, but since he wishes that the matter might be circulated for the elicitation of opinion from informed sources in regard to this matter, I do not think any harm will be done if the circulation is agreed to by Government. But, I feel that, on this occasion, perhaps it is up to us to acknowledge the good work which has been done by the Department of Archaeology. It is going to celebrate its centenary next year and since it was founded in a kind of a curious way in 1861, when the organisation was by no means very compact, it has passed through many vicissitudes. On occasions there have been many mistakes in points of excavation and all that. Generally, by and large, there is a solid body of achievement to its credit and I would hesitate very much in proceeding to dismantling the apparatus which has been built up after such a long period of experimentation in regard to archaeology.

In the Statement of Objects and Reasons, my hon. friend there has referred to western countries where he says there is only one Monuments Department. But, whatever the experience and necessities of the main western countries might be, here in India, experience has shown that here has to be an integrated effort so that excavation, renovation, preservation, exhibition and all that kind of thing might be conducted in an integrated fashion. I would hesitate, as I said earlier, to dismantle the organisation which has been set up. I have also a very lively suspicion of people like the P.W.D. Engineers, who, for no fault of theirs, have not got the kind of approach which is necessary to archaeological relics. As a matter of fact, our country has suffered a great deal. Much of the Indus Valley relics have been lost because of Railway depredations. It is common knowledge how, in the old days, because of a lack of an archaeological approach to the subject, Engineers of varied sorts got into all kinds of activities which were sheerly vandalistic. All that has happened. That is why I would hesitate very much before during the work of the department of Archaeology.

This Bill, as it is framed at present, would also meant an end to the School of Archaeology that was started last year. It was after a great deal of cogitation, after a great deal of consultation with learned people and representatives of Universities and other academic bodies of this country that the Department of Archaelogy decided upon the setting up of a School of Archaelogy at Delhi. The Department knows very well and the Universities also are well aware of the fact that in places like the Baroda University, which was host to the latest session of the Central Advisory Board of Archaeology, very good work is being done. Everybody knows there are other organisations. In Kausambi excavations are being taken up. There is the Deccan College in Poona which is doing very good work. There is the Ashutosh Museum of the Calcutta University which is doing very good work. All these organisations have their links with the Department of Archaeology. All these organisations have their representatives who, as far as I know, attend the meetings of the Central Advisory Board ofArchaeology and offer their suggestions. As far as I can make out, there is a lively appreciation on the part of the Board of Archaeology in regard to the work that is being done by these non-official or semi-official agencies. There is an effort—it may not be adequate because of other reasons—to integrate the work which is being done on all these different planes. I do not like that just because our department of Archaeology is a multi-purpose one, the limbs should be separated.

I do not quite understand what exactly is meant by bringing in Universities and other non-official bodies into more active co-operation with the work of the Archaeological Department. Surely things might be improved. But, I do not like the kind of all-out disapproval of what has happened. My hon. friend refer-

[Shri H. N. Mukerjee]

red to Sir Leonard Woolley's report of 1939. We all know that it is a very valuable report. Sir Leonard Woolley has been one of the greatest archaeologists in history. There is no doubt about the very great value which has to be attached to his opinions. But, as a matter of fact, I would like my hon. friend to bear in mind that many of the suggestions which have been made by Sir Leonard Woolley in 1939, have actually been adopted in the work of our archaeologists. Much work in the pre-historic plane has been done especially in recent years. Sir Mortimer Wheeler, who was also referred to by my friend, Shri Narasimhan, has expressed his vivid appreciation of the work which is being done by the Department of Archaeology. I had the pleasure, after my visit to Baroda, to go to Lothal where excavations have been conducted, and I know that Dr. Mortimer Wheeler had come to Lothal and he had said that his disciples had taught him a great deal, because the way in which the work is being done now really deserves some commendation. I do not wish an impression to go abroad from this House that the work of the Department of Archaeology is being disapproved.

I would refer to the kind of thing which is published by the Department. Here is a volume, a very small book on Indian Archaeology, which is written specifically for purposes of popular consumption, so that the idea of the importance of archaeology might be conveyed to the generality of our people.

Therefore, without going into details, I would like to say that we owe it to ourselves to acknowledge the good work which is being done. But if it is possible to have a better organisation, if we can enlist the co-operation of our universities and academic bodies in a better manner in the work of archaeology, then, of course, we shall welcome it, and that is why I do not mind at all if this Bill is circulated for purposes of eliciting opinion. Let our scholars and others who can really say something worthwhile, not laymen like ourselves who can only make a few commonsense suggestions but who cannot go into the root of the matter, let our scholars and others make their suggestions, and let the universities also place their cards on the table; let the State Governments which, by the way, also know how the Department of Archaeology is functioning,—because they send their representatives to meetings of the Central Advisory Board of Archaeology; they are represented there; it is not that they are unrepresented, but even so—if they have any special suggestions to make, might very well make those suggestions.

So, my personal approach to this matter is that, after having recorded our appreciation of the very good work which our own people are doing in the sphere of archaeology, we might just as well elicit more information in regard to this matter. Since this thing has been agitated in parliament, it is only right and proper that this thing might be cnsidered with some care by people who are really able to pronounce their views on this subject with any profit to the cause of archaeology in India.

Shri D. C. Sharma: I have witnessed a strange spectacle this afternoon on the floor of this House. The hon. Member who preceded me is generally a non-conformist. He is generally very critical of whatever we do, but this evening has shown him to be a great apologist for the Department of Archaeology. I think the reason is that he represents the Lok Sabha on the Central Advisory Board of Archaeology. I wish he could be given representation on all the Boards on which Lok Sabha is represented, so that he becomes a perfect believer in whatever we are doing.

Shri Chintamoni Panigrahi (Puri): Can he speak like this? If he has anything to speak on the Bill, he can do so.

Shri D. C. Sharma: But that thing apart, I would say that I will not be lagging behind anybody in saying that the Department of Archaeology has done good work.

I am also happy to hear that they are going to celebrate their centenary though I think that they are not like other human institutions; other human institutions celebrate their centenary, but this institution should celebrate something different, the five hundredth anniversary or something like that, because archaeology measures time not in terms of years or centuries but in terms or so many centuries and thousands and millions of years. Anyhow, I think we shall all look forward to the Centenary celebration.

I do not see any reason why anybody should take any objection to the aims and objects of this Bill; it passes my limited comprehension.

What does the Mover of the Bill want? He wants, in the first place, that we should set up an Indian Institute of Archaeology. Do we not have an Indian Institute of Science? Do we not have an Indian Statistical Institute? Do we not have so many other Institutes working under this Ministry or that Ministry? If these Institutes have not become thorns in the flesh of the Ministries, I do not see any reason why they would be losing anything if an Indian Institute of Archaeology is established. I think it will only add to the usefulness and splendour of this Ministry.

I, therefore, think that this is a very very simple proposition. The Bill asks for something to which we have agreed in so many other fields. Therefore, I do not think anybody should take objection to the establishment of an Indian Institute of Archaeology.

Shrimati Ila Palchoudhuri (Nabadwip): Have we not an Indian Institute of Archaeology? I think we have.

Shri Narasimhan: It is a school.

Shri D. C. Sharma: Now, I find that there is in my country a great gulf existing between academic institutions and the departments which administer some of these learned bodies. That gulf is bridged in some cases. Take the Atomic Energy Establishment. It is a very very difficult subject, something new. But the Establishment is trying to align itself with Universities so far as the study of nuclear physics, this subject and that subject are concerned. There is co-ordination between that great scientific body and the Universities. But so far as other things are concerned, the Universities are not taken into confidence. They are not given their proper place.

I think this Bill wants that this Institute should be something like a University which should look after the academic interests of archaeology. Of course, there are some schools of archaeology already there. But they are small things in the overall picture of a University. The Baroda School is very good, but it is only a very very small part of Baroda University. As we have the Indian Institute of Public Administration, as we have so many other Institutes in their own right, similarly we should have something like this so that there is more collaboration between academic life and departmental life.

I think we are used to departments of all kinds. We are used to their working. We all know about their good points and also about their weak points. But there is one thing—this archaeological department should not become in itself a piece of archaeology. There should be fresh blood in it. There should be fertilisation of its methods; there should be new ideas

[Shri D. C. Sharma]

pumped into it. But this department lacks all that kind of thing.

My hon. friend, the Mover, was reading from the book of that learned archaeologist. He was quoting some very respectable authorities. What do they say? They say that this department has got into a rut. I think it is our duty to pull it out of the rut. I am sure this Bill will succeed in doing that.

What does this Bill want? You know Parkinson's Law. I think Parkinson's Law has been worked only in one or two instances, but it should also be worked so far as the accumulation of power in the hands of this department is concerned. You start a simple department and you find that the department has got this thing and that thing till it has become an octopus. I believe that this department of archaeology is dealing with eleven things and for aught I know, it may be dealing with 12 things. I do not think it can look after everything so well. We are talking of democratic decentralisation and I think there should be decentralisation in this matter also. Some of the items should taken away from this department and given to this body proposed in the Bill.

In a matter of this kind, training is very important. But we have no trained personnel. I believe that this Indian Institute of Archaeology will be a very good training ground for the personnel needed for running the department of archaeology. My friend Shri Narasimhan has to be congratulated over this effort. I have seen so many Bills in this House. A Bill covers one page or two pages or three pages. But here is this very painstaking gentleman who has produced a Bill as big as any good Government Bill. Therefore, I feel that this Bill should be treated with the utmost respect and attention. I do not know why the hon. Mover of this Bill had been so modest because he says that it should be circulated for eliciting public opinion. Now, if the hon. Minister who is smiling all the time without meaning much, is going to say no to this also, I think archaeology has a bad future. This Ministry is a Ministry which is impervious to any reform however good and solid it may be. I hope the hon. Minister who is also a learned Doctor will appreciate the academic aspect, the training aspect, the decentralisation aspect of this Bill and will accept it. No harm will be done to him or to anybody. I think he will be doing good by the Members of this House. Who knows that Shri Narasimhan may not be here by the time the Institute begins to function. Who knows? I may not be here or you may not be here.. (*Interruptions.*) All the same, whether we are here or not, this Bill would have served its purpose if it had stimulated thinking all over the country so far as this very important subject is concerned.

Shrimati Ila Palchoudhuri: Mr. Chairman, I also feel very deeply about this Bill and I think it should have support from every quarter. At the same time I would like to acknowledge what the archaeological department has done till now; it is going to complete hundred years of service. The previous speaker, Shri D. C. Sharma, seemed to say that it was not blooming and flowering and fertilising itself but I should think that it has done just that. I suppose that it started with the Asiatic Society and such like bodies with learned people. Then it went into the department of archaeology and now it deals with something like 11 departments altogether. I also feel that if a Bill of this kind came into being, it will take over the service part of the ancient monuments.

Sir, ancient monuments have been the glory of India. In the Constitution you are really committed to the preservation of ancient monuments. You may sponsor research and it may be a very, very important thing. But in the Constitution you are not committed to sponsor research as such in so many words. Here the Constitution really holds you down to the preservation of ancient monuments and I dare say that is the first and foremost reason why a substantial portion of the budget allotment goes to conservation.

Conservation of monuments has become, unlike archaeology which is a very ancient thing, more and more modern. With conservation goes trained architectural engineering which is a very modern subject, and with that there is the eye to artistry. At one time, it was a deplorable fact that there was a proposal that the P.W.D. might take over the conservation of monuments. It is horrifying to think of it. I think they would have treated our ancient monuments in the same way as they would treat a railway bridge. That would be disastrous. It is very laudable that they were never allowed to do it. Now at least the Arhaeological Department takes every care of these monuments.

I would like to place before the House our handicaps at the present moment. What have we got at the moment? We have one archaeological engineer for the whole department who is stationed at Delhi. It is impossible for one man to run round India and find out all that needs to be done for conservation works. There are certain circle offices etc. who work under him. But actually they are not directly under him as far as the administration goes. Hence the defects in administration still continue. It is true that the archaeological department has done admirable work and we are all beholden to it, but the difficulties remain.

I also think that it is not at all modest of my hon. friend Shri Narasimhan to ask for eliciting public opinion because public opinion, I am sure, if brought to bear on this aspect will also feel that the conservation of monuments which are the pride and glory of India should be the work of a department entirely devoted to it. Monuments do decay. We cannot replace ancient monuments. We may build beautiful ones which may become ancient monuments. We may build archaeology for the future but we cannot build ancient monuments any more. So they must be conserved with the utmost of care and an eye to their artistic work so that we may leave a legacy of learning and the glory of history to our students who will benefit from it.

A part of that work also rests with the museums. It is true that this department as proposed here, cannot just work as an isolated cell. It would have to work with the department of archaeology. It acts as the audio-visual method of giving the glory of India to the masses of the people. With that, when these monuments are artistically conserved with good architectural engineers we will have achieved an object which is really necessary for the country.

Sir, this Bill has my warmest support and I hope it will be circulated for eliciting public opinion.

Dr. M. S. Aney: Sir, I do not want to make a long speech, but I think it is a very important Bill which my hon. friend Shri Narasimhan has introduced before this House.

The subject of archaeology at present is one of the subjects in the portfolio of ancient culture which is held by one of our distinguished scholars in this House. Archaeology, in my opinion, at present mainly relates to the surface of the earth. We were first dealing with the monuments which are on the surface and that has come to be known ultimately as the preservation of ancient monuments. It is mainly the work on these lines that was continued for a long time.

[Shri M. S. Aney]

That is how the tradition of archaeology in India has begun. We have to give credit to Lord Curzon for the great work he had done in this matter. In fact, it is his pioneering effort that has put the department of archaeology on a sound footing. It has been going on like that.

There is another aspect of archaeology. That relates to the treasures of mother earth. Some treasures remain in the bowels of the earth and some have been swallowed up by the earth in course of time. It has gone beyond it, and mother earth has preserved some of them in her bosom for the benefit of humanity and the posterity that is to come. That work, *i.e.*, to discover them, is also part of archaeology, and that is called excavation, which is also very important.

In fact, one of the great defects in understanding Indian culture is the want of a proper history of India. All scholars who have written about India, including very great oriental scholars, have complained that there was good material here which has not been unearthed and you have to make a study of the literature to find out certain things in history. The knowledge that we get now is from the literary or history books which are not really books of history at all. We only get certain hints from them and we try to weave out of them the story of our ancient culture and ancient history.

In order that our history should be properly built up, a corroboration is needed and that sound corroboration, indisputable corroboration and unquestionable corroboration can be found only in the treasures which our mother earth has preserved safely within her and we must study those treasures. It all requires a specialist to unearth those treasures.

In my part of the country, there is a superstition saying that only the man, who as a child came out of the womb of his mother with feet first, has got a precocity to know where the treasure lies. In the case of finding out these treasures, it may not be the case of the accident of birth in this way, but in the West, they have created certain institutions and certain methods of work and systems of work which have been developed and where the ordinary men, after going there and getting training in those institutions, get that faculty of how to study the archaeological relics and so on, and in fact, the ordinary men are initiated into the study of archaeology and the work of archaeological excavation. To do that kind of work, we require a large number of scholars. A considerably large amount of historical treasure is left to us by the immensely long period of our history, and what requires to be done in this field is very great work, and a very large work remains to be done. The present archaeological set-up, as it is today, was constituted with a particular purpose in view from the beginning, and no serious effort has been made to study whether the department is sufficiently equipped to cope with the growing demand which will lead to further study of our ancient culture now required particularly in the enlarged way in which archaeological work has to be carried on. From that point of view, I believe my hon. friend Shri Narasimhan has made a very good start and a very good beginning by placing before us a Bill for our consideration.

Some of my hon. friends think that he should not have come here with a dilatory motion. But I believe, he is born of a father who is known for his prudence and cautiousness and he always wants to carry with him not only his own opinion, considering himself as infallible, but wants to see that there is an enlightened humanity outside the sphere of official circles whose support he wants to carry all round in this task. With that particular view in mind, he has come before the House with this dilatory motion that the Bill be circulated for public opinion.

I agree that the Bill as it is admits of being improved, because it is a new subject that is placed before us. Before we can definitely give any opinion upon any of these clauses, we should know how similar work is done in other countries, how far that kind of apparatus is available in this country, etc. It is a matter for study. Therefore, those who are competent on this subject on account of their experience and devoted application to this subject should be consulted. One of the methods of consulting them is by publishing this Bill and circulating it for public opinion thereon.

So, I wholeheartedly support the motion which my hon. friend, Shri Narasimhan, from Madras has placed before the House. I hope the House will certainly help the cause of archaeology much better by inviting public opinion and then taking an opportunity thereon to study those collective opinions and then present this House with a Bill that shall satisfy all the requirements.

With these words, I support the Bill.

Shri Warior: Sir, I support the aim and objective of the Bill completely and fully. When we think of this subject, the House will allow me and the House to pay our deep homage to those pioneers in this work of archaeology in India, especially people like Caldwell and Heras and indologists from outside as well as our own men, as for instance, Dr. R. D. Banerji, who died in the 1920's while he was engaged in the work of the Mohenjo Daro excavations, while he was in his early thirties. Such pioneers had given us much material for thought and in all the hurly-burly of our present day life, these material take us not only centuries, but thousands of years back. When one visits the great Jehangir Hall in Bombay, when one sees the Mohenjo Daro relics and reads the interpretations given by the indologists, one finds that there is still much more to learn than what we have learnt and much more to understand than what we have understood or misunderstood.

For instance, the entire history of prehistoric India has to be rewritten if it comes to that. Amidst the fissiparous tendencies threatening our modern life, what we need most is emotional integration, which can be brought about only by an understanding and thorough study of the history of India from prehistoric times onwards. Prof. Heras was a Jesuit Father in the Bombay University. He had written a book which we have got in the Library, and which I recently read. The Jesuits did not allow that book to be published while he was alive; it was posthumously published by the Bombay University. So many friends may not agree with what he has said and with all his interpretations and analysis. But from that we got a glimpse of the old Indus Valley Civilisation. After 17 long years of work on this subject, he establishes more or less incontrovertibly that the Indus Valley civilisation was the cradle of human civilisation. There are ideas floating even now current and there are text-books even now saying that India has gained much more from Egvpt and Babylonia than from Indus Valley.

But he has said that even the Babylonian civilisation, even the Egyptian civilisation had gone from here. And I agree with Shri Narasimhan that when we think of India, I am sorry to say, we think India is not to the south of Vindhyas and India remains only in the Indo-Gangetic plain. Here I may point out that I am not saying this out of any fissiparous tendency or separatist attitude. That should not be so, because from the Proto Indo-Mediterranean Civilisation which he has analysed Professor Heras comes to the conclusion that this has a very firm influence on the Minoan Civilisation when it was at its highest glory in the Mediterranean. I also find from Panini's *Ashta Adhyaya*—in the seven chapters the greatest of our grammarian was able to give the roots of all Sanskrit words from the Rigveda up

[Shri Warior]

to his time—that he cannot find out the roots of thousands of words. In his etymology he has quoted everything in the 8th chapter and said by such and such thing we get this meaning. But the meaning of those words can be possibly found if we go deeper into this question.

Archaeology is not something like fossils, old potteries, ornaments and others excavated from a place. There are ideas and ideas enshrined in them. It has to unearth those ideas and new life has to be given to those ideas; that is what is necessary to be done by this Department. So, it is not a technical question at all. It is a very wide, vast and important question.

I am not a non-conformist just like Shri D.C. Sharma. I do not like to criticise for criticism's sake. I am very much surprised that so many other members are not taking so much interest in this. We could leave alone so many other things, but this cannot be left alone. There are certain factors obtaining here and I must bring them to the mind of the Minister. I had been to Gwalior recently. There was a great poet in Gwalior and they have built a tomb for him. I was told that the tomb guard is getting Rs. 10 per mensem as his salary. If we travel from Mohanjodaro to this tomb we know the approach we are having in this matter. Mohanjodaro, unfortunately, is now in other hands. I do not know whether we might have it. But I do not think the tale of these two cities will come again into the Indian plain; it is lost and gone, I do not know whether for ever or not; for the present at least it is gone.

So, this subject must not be kept in a small circumscribed department like this. It must be widened. Its scope is much more. I will suggest that even the Malabar civilisation is something akin to the Minoan or Phonesian civilisation. For that matter, Malabar fossils are like the Phonesian fossils. We have enough material for studying all these things. The subject is so very wide that we cannot deal with it in half an hour, one hour or one and a half hours' discussion like this. The subject is so important, and that is what we want to bring out here. I hope that the Ministry will not stand in the way of expanding its scope and they will take advantage of advice and opinions. Because, opinions are also very necessary. It is there that the whole hitch comes, because there are ruts of thinking. Nobody wants to get out of that rut. If they go on that rut, it is all cosy and easy, but if it is something different then they think the whole thing will go topsy-turvy. But that is not a fact.

Modern India had to learn from Max Muller that we had such gems, such great treasures in the Vedas. Should we again look to Max Muller and others for this work? We must take up this work in right earnest. Even if this Bill is not at all properly drafted, whatever it is—legalistically it may not be perfect or complete—even then the Ministry must bring forward a Bill to establish a new institution which will take up this very necessary work in a healthy spirit for the emotional integration of the country and in a way which is far from creating separatist or fissiparous tendencies in the country. Anybody standing before those Mohenjodaro relics and remains will be so proud of our country and of our civilisation that emotional integration will come much more than by speeches and appeals that we make now-a-days. Hence it is that I fully support this.

In the mean time I have to suggest certain things. For instance, the museums are kept very badly. I have been recently to some of the museums in Europe. A friend of mine lately came from Kuwait. He went to see the Taj Mahal and on seeing it said, "What is this? Is this the way you keep the Taj Mahal?" I had been to the Kremlin and to so many other old relics and old places. They are not a weebit superior to ours. The great Red Fort is a monument in itself.

It is so magnificent and so majestic that no Kremlin will come very near it. Still, it is kept in the hands of hawkers and troops. That is where we lack.

I am not criticising for criticism's sake. We are sorry for it. It is not that one or tw stones have been stolen. Unfortunately that has happened. The peacock throne's platform is here and the peacock throne is somehere else. We know that. But that is not the main thing. The main thing is that at least from now onwards we must keep these things in more perfect conditions. Let us not be looked down specially by foreigners coming to our country in hearing the great glory of the Taj and other monuments here as also in the south.

Shri Narasimhan had been calling attention to them. He had said about the Pondicherry and other things. But in my place I have seen the Mattancherry Fort and Synagogue which is about 2,000 years old. In the first century of the Christian era, when the Jews came to Cochin a temple compound was divided by the Raja of Cochin to establish a Synagogue side by side. You will see that in the Cochin harbour jetty. Such monuments are there. Mural paintings are there. Ravi Varma, one of our greatest artists on our Puranas had his inspiration not from Michaelangelo but from the mural paintings of the great temples of the south. All these things are now in a deplorable and decaying condition. I think the Ministry must enlist the co-operation of whoever possible and see that these things are preserved not only for our own benefit but for the benefit of posterity also. Hence I think that this Bill will be accepted by the Government and it will be circulated so that more opinions will be had. If necessary, a comprehensive Bill may also be brought forward by the Government so that we will have all these glories preserved for the future of India.

17 hrs.

Dr. M. M. Das: Mr. Chairman, Sir, I have heard with rapt attention the inspiring speech of the hon. Mover as well as the highly enlightening speeches of our hon. friends have. I must confess that the horizon of my knowledge about the Department of Archaeology which our Ministry is supposed to look after has extended considerably. At the outset, I would like to give my sincere thanks to the hon. Mover for the great interest he has shown in Indian archaeology and for his anxiety to see the working conditions of the Department improve. I no doubt, appreciate very much the good intention with which he has brought this Bill before the House. But, I must say that, although the intentions are good, if the Bill is accepted in this House—I do not mean the present motion, but the ultimate acceptance and passing of the Bill—it will be followed by disastrous results for the archaeology of India.

An Hon. Member: How?

Dr. M. M. Das: I will explain.

This Bill provides for the splitting of the present Department of Archaeology. The most important functions of the Department, namely, exploration, excavation, pre-history, etc., are sought to be taken out from this department and handed over to the hands of an educational institution. If this is given effect to, not only the whole archaeology in this country will be in a ruinous condition, but also huge amounts of public funds will be wasted. New departments have to be created and funds have to be provided for these by this august House for maintaining them.

Mr. Chairman: The hon. Minister has much more to say, I believe.

Dr. M. M. Das: I have heard with patience. I have to say much.

Mr. Chairman: We have spent one hour and 15 minutes. The time allotted is one and a half hours. The hon. Minister may continue on the next non-official day.

Shri Narasimhan: Can't we sit for 15 minutes? It will be over.

Mr. Chairman: The House stands adjourned to meet on Monday, the 12th, at 11 A.M.

17.02 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, December 12, 1960|Agrahayana 21, 1882 (*Saka*).

[*Friday, December* 9, 1960/*Agrahayana* 18, 1882 (*Saka*)]

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MOTION FOR ADJOURNMENT . . . . . 4813—16

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Shri Indrajit Gupta regarding the emergent situation confronting the Indian contingent in Congo.

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PAPERS LAID ON THE TABLE . . . 4816–17

The following papers were laid on the table :—

(1) A copy of each of the following statement showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Second Lok Sabha :—

(*i*) Supplementary Statement, Eleventh Session, 1960, No. III.

(*ii*) Supplementary Statement, Tenth Session, 1960 No., VIII.

(*iii*) Supplementary Statement, Ninth Session, 1959, No. XI.

(*iv*) Supplementary Statement, Eighth Session, 1959, No. XIII

(*v*) Supplementary Statement, Seventh Session, 1959, No. XX.

(*vi*) Supplementary Statement Fifth Session, 1958 No. XXII.

(2) A copy of the Inter-State Transport Commission Rules, 1960 published in Notification No. S.O. 286 dated the 30th January, 1960, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939.

(3) A copy of each of the following orders under sub-section (6) of Section 3 of the Essential Commodities Act, 1955 :—

(*i*) The Rice (Punjab) Second Price Control (Second Amendment) Order, 1960 published in Notification No. G.S.R. 1409 dated the 26th November, 1960.

(*ii*) The Rice (Eastern Zone) Movement Control (Third Amendment) Order, 1960 published in Notification No. G.S.R. 1410 dated the 26th November, 1960.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . 4817—20

Shri Surendra Mahanty called the attention of the Minister of Commerce and Industry to the Indo-Pakistan trade talks held recently at Karachi.

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CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE—*contd.*

The Deputy Minister of Commerce and Industry (Shri Satish Chandra) laid on the Table a statement in regard thereto.

BILLS PASSED . . 4821—75

(i) The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi) moved for consideration of the Appropriation (No. 5) Bill, 1960. The motion was adopted. After clause-by-clause consideration the Bill was passed.

(ii) Further discussion on the motion to consider the Forward Contracts (Regulation) Amendment Bill and Shri V. P. Nayar's amendment thereto for circulation of the Bill for public opinion continued. The amendment was negatived. The motion to consider the Bill was adopted. After clause-by-clause consideration the Bill, as amended, was passed.

RE-COMMITTAL OF MEMBER . . . 4875–76

The Deputy Speaker informed Lok Sabha that the Speaker had received a letter dated the 5th December, 1960 from the Additional District Magistrate, 24-Parganas, intimating that Shri Kansari Halder had been re-committed to the Alipore Central Jail on the 5th December, 1960.

COLUMNS

PRIVATE MEMBER'S BILL INTRODUCED . . . 4876

The Delhi Rent Control (Amendment) Bill, 1960 (*Amendment of Section* 14) by Shri K. T. K. Tangamani.

PRIVATE MEMBER'S BILL NEGATIVED . . 4876—4905

Further discussion on the motion to consider the Abolition of Employment of Casual Labour Bill by Shri Aurobindo Ghosal was resumed. Shri Aurobindo Ghosal replied to the debate. The motion was negatived.

PRIVATE MEMBER'S BILL—MOTION FOR CIRCULATION UNDER CONSIDERATION . . . . . 4905—36

Shri Narasimhan moved for circulation of the Indian Institute of Archaeology Bill for the purpose of eliciting opinion thereon by the 30th April, 1961. The discussion was not concluded.

AGENDA FOR MONDAY, DECEMBER 12, 1960/ AGRAHAYANA 21, 1882 (SAKA)—

Consideration and passing of the following Bills :—

(1) The Preference Shares (Regulation of Dividends) Bill, as reported by Select Committee .

(2) The Tripura Excise Law (Repeal) Bill.

GMGIPND—LSII (Ai) LS—19-12-60—901.